THE NATION

MARCH 24, 1962 . . 25c

Protesters at the Old Bailey

CONSCIENCE ON TRIAL

James D. Garst

PARADOXES OF TAXATION

Peter L. Bernstein

Memo to the Peace Movement

ALTERNATIVE TO SLOGANS

Anatol Rapaport & J. David Singer

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LETTERS

Hostages Wanted

Dear Sirs: I propose an exchange of Peace Hostages with Russia and other potential nuclear powers as a major step toward peace. The exchange should be on a massive basis involving millions, not mere token trades as heretofore among our cultural organizations.

The first exchange should be made at the very top level. Let President Kennedy exchange the family of one of his close relatives for a Khrushchev counterpart. Likewise, include families of other government officials and civil servants, as well as individuals and/or their families from industry, business, science, education and labor. The program should be given official recognition by the governments involved. Those who volunteer should be assured by law that their jobs will be secure upon return. Each Hostage should be placed in a job abroad which is similar to the one he does at home. . . .

A list of volunteers should be compiled to show our government that there is a widespread desire to make a concrete effort for peace by this method. I ask that any of your readers willing to join me as a volunteer Peace Hostage (subject to acceptance by the American and Communist governments) for a period of from six months to two years or longer — with or without families — write to Peace Hostages, Box 2737, Grand Central Station, New York 17, N.Y. STEPHEN D. JAMES

Hints for Detroit

Dear Sirs: The letter of Harry A. Williams, director of the Automobile Manufacturers Association, published in your Feb. 17 issue, misses the point of Bernard Nossiter's article in your earlier issue (Jan. 20). I purchased a new Plymouth in 1937 for $700; today the same car would cost three times that amount. I refuse to believe that costs in general have risen three times in that period. Those "improvements": there's the rub. . . . And every one of these "improvements" makes a car harder to control and harder to repair. . . .

In the meantime, what is being done about the following: padding around the car so that one can survive after being hit head-on; a steering wheel that doesn't conduct heat and cold in summer and winter so that you are either burnt or frozen; a heater that will warm the car even when the motor is cold; a gas gauge that tells you what you have in gallons, instead of the present arrangement whereby the gauge drops suddenly from full to half when you have no more than a quarter of a tankful. BERNARD B. PERRY

Bloomington, Ind.

Dictionary

Dear Sirs: I find it highly lamentable that the staff of as excellent a magazine as yours should be so terribly mistaken about the nature of language as is indicated by the editorial, "English Spoken," in the March 10 issue.

The lexicographer's task, in the view of the great majority of linguists today, is one of *description* not *prescription*. The philosophy of prescription was discarded by most of those "in the trade" at the end of the eighteenth century.

Would you please consult some qualified, professional linguists conversant with the subject, and then, perhaps reconsider your erroneous decision to continue usage of the now outdated *Webster's Second International Dictionary*?

DOUGLAS N. WILLIAMS
Wayne State University
Detroit, Mich. Dept. of English

Key to Romney?

Dear Sirs: I read with interest B. J. Widick's article (Feb. 3) on Romney, but found it somewhat like a dime novel in that had I first read the denouement, there would have been no use in reading the whole article. The real meat of the thing seems to be contained in the quote to the effect that "the danger . . . is not primarily . . . atomic intercontinental ballistic missile war, [but] the decline of religious conviction [and] moral strength." It would seem that a vote for Romney could be a vote for nuclear war and against religious freedom.

If it should happen to be Romney (or Goldwater) in 1964, there will probably be a rush on the survival colonies described by G. A. Flint in your January 20 issue. J. E. JACKSON, M.D.

Birmingham, Ala.

Wrong Label

Dear Sirs: Your cover headline on the Martin Luther King, Jr. article, "Fumbling on the New Frontier" (March 3), is as distorted as anything I have ever seen in a right-wing tabloid.

You have taken out of context one reference indicating that the President "fumbled" on an order ending discrimination in federal housing, to indicate that the article is generally critical in tone. This is directly contrary to the true tenor of the article, which says: "With regard to civil rights, then, it would be profoundly wrong to take an extreme position either way when viewing the Administration."

New York City JAMES S. OTTENBERG

In This Issue

EDITORIALS

245 ●

ARTICLES

248 ● An Alternative to Slogans: Memo to the Peace Movement
by ANATOL RAPOPORT and J. DAVID SINGER

251 ● The Diminishing Role of Congress
by DUANE LOCKARD

253 ● Conscience on Trial: Protesters at the Old Bailey
by JAMES D. GARST

258 ● The Twenty-Year Work Span
by DONALD B. STRAUS

260 ● Paradoxes of Taxation
by PETER L. BERNSTEIN

BOOKS AND THE ARTS

263 ● The Cold War of Education
by URIE BRONFENBRENNER

264 ● Death of a Surgeon
by CARL DREHER

266 ● The Poor Are Still With Us
by HARVEY J. BRESLER

267 ● Music
by BENJAMIN BORETZ

268 ● The Morning Begins with Love (poem)
by TRACY THOMPSON

270 ● Art
by MAX KOZLOFF

271 ● The Shadow Knows (poem)
by GILBERT SORRENTINO

272 ● Films
by ROBERT HATCH

Crossword Puzzle (opp. 272)
by FRANK W. LEWIS

George G. Kirstein, Publisher
Carey McWilliams, Editor
Victor H. Bernstein, Managing Editor
Robert Hatch, Books and the Arts
Marion Hess, Assistant to the Editors

Harold Clurman, Theatre
Max Kozloff, Art
Benjamin Boretz, Music
Paul Blackburn, Poetry

Jane Stolle, United Nations Correspondent
Alexander Werth, European Correspondent

Mary Simon, Advertising Manager

The Nation, Mar. 24, 1962. Vol. 194, No. 12

The Nation, published weekly (except for omission of four summer issues) by The Nation Company and copyright 1962 in the U.S.A. by the Nation Associates, Inc., 333 Sixth Avenue, New York 14, N.Y. Second class postage paid at New York, N.Y. Tel.: CH 2-8400.

Subscription Price Domestic—One year $8, Two years $14, Three years $20. Additional postage per year: Foreign and Canadian $1.

Change of Address: Three weeks' notice is required for change of address, which cannot be made without the old address as well as the new.

Information to Libraries: The Nation is indexed in Readers Guide to Periodical Literature, Book Review Digest, Index to Labor Articles, Public Affairs Information Service, Dramatic Index.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NEW YORK, SATURDAY, MARCH 24, 1962
VOLUME 194, No. 12

THE NATION

EDITORIALS

The Economics of Peace

A committee of ten leading economists from both East and West has reported unanimously to the United Nations that a world depression need not follow disarmament. In general, the conclusions parallel those of a panel headed by Professor Emile Benoit, which made its report to the United States Arms Control and Disarmament Agency (*The Nation*, March 3, page 186). Both analyses base their conclusions on certain suppositions: disarmament must not be abrupt; there must be continuous national and international planning for the re-allocation of men and machinery, and there must be a willingness to make the transition from warfare spending to welfare spending. There need be no apprehensions on the first score; the other two prerequisites are considerably more dubious.

If all three conditions were met, the potential benefits to mankind would be enormous. The U.N. report finds general agreement that the world is spending roughly $120 billion annually on its military account at the present time: this corresponds to about one-half of the total global gross capital formation. This sum could solve the problem of financing the industrialization of the underdeveloped countries, and simultaneously raise the standard of living of the one-third or one-fourth of the underprivileged population of the advanced countries. The chronic anxiety at the prospect of nuclear annihilation would be lifted from mankind, and the millenium would be brought appreciably nearer.

But it is a measure of the world's desperate plight that a brilliant demonstration of this sort has only a marginal relevance to the discussions going on at Geneva. On the record, both major powers are committed to the principle of disarmament. Off the record, both powers are committed, for somewhat different reasons, to the dogged pursuit of the illusory goal of absolute military invulnerability. On their part, the Soviets hope to catch up with us in nuclear frightfulness. On our part, we insist on maintaining — increasing if we can — our present ratio of superiority.

There are, of course, additional motivations. The Soviets would like to keep their competition with us restricted to the arms race; they would be at a serious disadvantage, as Seymour Melman has demonstrated in his excellent tract *The Peace Race* (Braziller/Ballantine), if we were ever to commit a substantial part of the resources we currently devote to the military budget to a massive world economic aid program. In the postwar period, we have spent $500 billion on arms and probably not more than $10 billion on genuine foreign economic aid. We sense the Soviets' vulnerability, but our cold-war strategists are the ones who have turned it to their account. In the January-March issue of the *General Electric Forum*, Dr. Robert Strausz-Hupé and Dr. William Kintner wrote on "Military Defense: Free World Strategy in the 60s." The authors, both professors of political science at the University of Pennsylvania, and both enjoying close ties with the Pentagon, are director and deputy director, respectively, of the Foreign Policy Research Institute (financed by the Richardson Foundation). "Contrary to general belief," they say, "the [arms] race need not work against world stability and peace. It could serve as the most effective means to bring the Communist rulers to reasonable terms. *For the Free World can better afford such a competition than the Communist bloc*" (italics in the original).

But can the rest of the world afford it? While the arms race goes on, the gap between "have" and "have not" nations widens, so that the winner of the cold war — if in fact it could ever yield a winner — would be saddled with responsibility for a superb collection of overcrowded, disease-ridden slums. The best hope for breaking out of the deadly game of American and Russian roulette is for the peoples of the world to insist that their respective governments join in an effort to transform the arms race into a peace race. The task of re-allocating this enormous sum to peaceful, wealth-producing purposes can provide that "community of purpose" which Disraeli said was the true basis of society. But logical demonstrations of the kind set forth in the U.N. report on disarmament will not matter much until the perverse logic of the cold war can be supplanted by a logic of peace.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Art of Dying Well

A Catholic nun wrote a pamphlet with the above title. The American people seem to be guided by it in their reaction to the drive to get everyone underground in preparation for the coming showdown with the Communist devils. Die they must sometime, all of them, but they don't want to die in a fallout shelter. A lot of them don't even want to live in the post-holocaust world.

Representative Edwin B. Dooley (R.-N. Y.) of Westchester sent out questionnaires asking, "Do you favor an extensive federal-state shelter program?" Seventy-two per cent of the 25,000 constituents who responded answered no. This was after the announcement of President Kennedy's federal program and Governor Rockefeller's state program, and in one of the wealthiest and most conservative districts in the nation.

Do these relatively, and in some cases absolutely, well-heeled citizens perhaps prefer to build their own, without government interference? They aren't doing anything of the kind. The public's participation in the shelter program has ground almost to a halt. Moreover, Representative Dooley points out that, if the question had been worded "Do you *oppose* such a program?" the answer would have been even more one-sided.

Some of the tabloids, distressed by the recalcitrance of the citizens, are asking whether we are a nation of cowards. On the contrary, most of our people are both sensible and brave. Brig. Gen. S. L. A. Marshall, in his current book *Night Drop*, tells of a World War II lieutenant named Dolan who was told he had better retreat. He refused. "I don't know of a better place than this to die," he said. The problem of the civilian in the nuclear age is more complex, but he too can say that he doesn't know of a better place to die than in his bed or his living room. If, indeed, hundreds of millions must be immolated, he will die without their blood on his hands, for he will not have made the task of the first-strike boys any easier. For the same reason, he will have maximized the chances that he and his family will not perish in a nuclear war. It is a form of conscientious objection to an enormity such as the C.O.s of earlier wars never faced. In this respect, at least, we seem to be measuring up to our opportunities.

Peace Is Politics

The good citizen who happens to be the manager of a supermarket will telegraph his Congressman and the President of the United States in protest against having to pay a minimum wage of $1.25 an hour to the boy who loads the cartons on the conveyor belt. The Congressman of the good citizen who happens to be in direct-mail advertising will soon learn how incredible, how outrageous, that constituent thinks the contemplated increase in his particular category of mail. The good citizen who is over sixty-five will find time to ask his Congressman to vote for the President's proposal to put the medical care of the aged under social security. But hardly anyone builds a fire under his Congressman about disarmament. Consequently, it is the thing that Congressmen are least excited about.

Senator Joseph S. Clark, delivering the keynote speech at the first Intercollegiate Conference on Disarmament and Arms Control at Swarthmore College last month, called attention to this anomaly, in which last things are put first and first things last. He did not accuse the voters alone. "Not more than a handful of my colleagues in the Senate," he said, "are fully familiar with the McCloy-Zorin Agreement and the President's disarmament plan. Hardly any of them take disarmament seriously. A majority of them think total and permanent disarmament is the rosy dream of a few impractical idealists."

Actually, some important steps toward disarmament have already been taken by the United States and the Soviet Union. But the citizens and politicians alike are so immersed in the minutiae of daily living that hardly anyone is aware of the commitments already made. For this the press is also to blame. Practically everyone believes that the Soviets are blocking disarmament by insisting on an agreement without inspection, or inspection limited to the arms destroyed. Even *The New York Times* subscribes to this illusion in its extremely useful Review of the Week section (March 11).

But it isn't so. Senator Clark quotes from the sixth point in the McCloy-Zorin Statement of Agreed Principles for Disarmament Negotiations, signed last September. Part of the paragraph reads: "All disarmament measures should be implemented from beginning to end under such strict and effective control as would provide firm assurance that all parties are honoring their obligations. . . . To implement control over an inspection of disarmament, an International Disarmament Organization (IDO) . . . shall be created within the framework of the United Nations. This organization and its inspectors should be assured unrestricted access without veto to all places as necessary for the purpose of effective verification."

Could anything be plainer? Of course it is only on paper. One reason that it is only on paper is that the voters, the legislators and the press are so hidebound that everything about disarmament goes in one ear and out the other, and is already distorted as it comes out. There are, however, some hopeful signs. Senator Clark points out that since last summer Congressional mail on disarmament has been picking up. But the task of challenging the dogmas and assumptions on which the arms race is based is so huge that the effort must go forward on all fronts if it is to have a chance of success. The men and women who demonstrate peacefully for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

peace and are dragged off to jail are doing their part to arouse public opinion (see article p. 253). The less active but perhaps more influential groups that reason intelligently and regularly with White House aides and State Department officials are doing theirs (see article p. 248). There is nothing inconsistent about these approaches; both are needed. Indeed no patent has yet been issued on the best means to prevent war. But in the end, peace is politics. As Senator Clark suggests, top priority among those to be interviewed — and, frankly, put under pressure — is reserved for the men and women who were selected by you, the citizen, to be your voice and your vote in Congress.

My God — Expropriation!

Asked at his most recent press conference whether the expropriation of International Telephone & Telegraph property in the state of Rio Grande do Sul should not be cause for excluding Brazil from the blessings of the Alliance for Progress, President Kennedy said no. The gist of his argument was that Governor Leonel Brizola was hostile to American capital but Brazil was not, and it would not serve our interests to wave the big stick. This is true as far as it goes. But the fact of the matter is that though Governor Brizola may be a tough hombre as far as American corporations are concerned, he has a valid case against the IT&T subsidiary which was seized. Nor should this seizure give American capital the jitters. After what happened in Cuba a certain amount of nervousness is understandable, but the Rio Grande do Sul incident does not portend a wave of seizures in Latin America. Only *The Christian Science Monitor* (March 8) has bothered to explain why.

The *Monitor's* coverage is in the form of a long interview by Bertram B. Johansson, Latin American editor of the paper, with Dr. John Plank of Harvard, who is likewise a Latin American specialist. On the same day, Johansson reported on a speech which former President Kubitschek of Brazil gave under the auspices of the Harvard Office of Latin-American Studies. What it all adds up to is that the Brazilians take over a public utility for the same reason that the Mayor of New York is trying to take over the bus lines — because the companies can't provide service. Dr. Kubitschek said that in one Brazilian city, 10,000 customers have been demanding telephones for some ten years, and are still demanding. "If I lived in one of those cities," Dr. Kubitschek said, "and wanted a phone for my yet unborn grandson, I'd order it now." The peculiarity of the Brazilians seems to be that they want service for the living as well as the unborn.

The company's side of it is that the utility cannot expand service unless the rates are raised. The company wants to get capital for extended plant from the increased rates, and by borrowing on the basis of the increased rates. But the majority of customers cannot pay more. Or it could provide the service if wages were lowered — again there is a close parallel with the New York bus situation. Dr. Plank suggests that one answer might be for American companies to operate on a contractual basis, as oil drilling firms are doing in Argentina. This solution may not be feasible in the IT&T case; it may be best for the company to get out amicably, if it is given reasonable compensation. The $400,000 the Governor has offered is a deposit, not what he expects to pay.

The President has requested $3 billion for the Alliance for Progress program over the next five years. If it is Cuban-style, total "expropriations" that Congress is anxious to avoid, then it had better forget about the IT&T incident which is not in point, and grant the President's request. As Dr. Ronald Hilton, Director of the Institute of Hispanic American Studies at Stanford writes in the current report of the Institute, the Alliance for Progress "may involve virtual bribery, as in the case of Haiti, and not infrequently a waste of public funds, but it is hard to think of a better policy."

A Whiff of Tyranny

In a time when the world is playing Russian roulette with the future of the human race, it is easy to forget that bureaucracy continues to live in its unassailable looking-glass country. As in the following example:

The literary editor of *The Nation* has received a letter from the Treasury Department, stating that its Bureau of Customs has seized a review copy of William Burroughs' *The Soft Machine,* addressed to him by the French publisher. The editor has thus been restrained from his professional duty, invoked by the publisher, of judging and perhaps discussing this work, on the ground that it is "obscene or immoral." However, the Treasury Department is not arbitrary: it invites him to try to get the book by submitting any evidence he may have that it does not violate the law—warning, however, that "unsupported statements or allegations will not be considered."

If the editor cannot produce convincing statements or allegations, he is asked to sign an enclosed "Notice of Abandonment and Assent to Forfeiture," which authorizes the customs inspectors to destroy Mr. Burroughs' book. If he does not sign said notice, the book will be destroyed in any case.

The literary editor, who is prejudiced in favor of receiving mail addressed to him, requests advice as to how he may argue for the legality of a book he is not permitted to read. He also wonders whether others detect a whiff of tyranny in the suggestion that he formally "abandon" a package that has been intercepted, and authorize the destruction of a book that will be burned whatever he does.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

MEMO TO THE PEACE MOVEMENT

An Alternative to Slogans..

Anatol Rapoport & J. David Singer

BY THE time this appears, we shall have had some news from the Disarmament Conference in Geneva. It is not likely that the news will be good; it may well be dismal. For some Americans, the worst news will bring a sense of relief—and not necessarily because these people are wicked or because they seek self-destruction. On the contrary, many among them will be men of good will with a genuine appreciation of the threats that plague us. But possibly *because* they are thoughtful people, they are plagued not only by the threats but also by a painful ambivalence. Shall we be tough with the Russians? It would seem so, because to act as a deterrent, a threat must be "credible." But what if the Russians subscribe to the same theory? Or shall we adopt a conciliatory attitude? What if this is interpreted as a weakness? If we trust them, what is the penalty for misplaced trust? If we distrust them, what is the penalty for unjustified but self-fulfilling suspicion?

If the news from Geneva is bad enough, many people will be delivered from these painful dilemmas. Satisfaction, perhaps not consciously realized, but none the less real will be an active ingredient in their grim surrender to the inevitable. In *The Gathering Storm,* Winston Churchill gave eloquent testimony to this sense of relief once the ambiguities of peace gave way to the certainties of war: "As I sat in my place listening to the speeches, a very strong sense of calm came over me, after the intense passions and excitement of the last few days. I felt a serenity of mind and was conscious of a kind of uplifted detachment from human and personal affairs. . . . Once again we must fight for life and honor against all the might and fury of the valiant, disciplined, and ruthless German race. Once again! So be it."

THE "serenity of mind" in a total commitment to a struggle, such as Churchill describes and such as many of us still remember from World War II, will never be our lot, because the days are gone when war could be "waged" as a continued, steady effort reinforced by knowledge that "victory" with its concomitant self-vindication is a reasonable expectation. Yet something reminiscent of that mood may descend on many of us during the months or years of preparation for war, once the restraints and doubts are removed by a failure in Geneva. Those who can discard their misgivings will be in the comfortable position of the Polish colonel who dismisses Jakobowski's suggestion that there are always two possibilities, by insisting that for a man of honor there is only *one* possibility. When there are no alternatives, life becomes simple and, in a sense, bearable—even when there is no hope. One does what is prescribed.

There will be others, how many and with what potential influence we do not know, who will resist the conclusion that war is inevitable. This hope may dwindle, but they too can derive a measure of comfort from a "total commitment," not unlike that of the Warsaw ghetto fighters (who had no hope but who did what they *had* to do) or that of a mother who administers to a dying child. Whatever the odds, one and only one course of action will remain for those who refuse to participate in the mass march to the crematoria—they must work for peace.

This parting of the ways has not yet occurred. Perhaps it need not occur. At any rate, there are months ahead of us during which the participants of the peace movement can still communicate with those who bear the responsibility for the nation's security. Specifically, the success or failure of the Geneva conference depends to some extent on how effectively the people in the peace movement can exert their influence. Moreover, bitter as any failure to move toward disarmament in Geneva would be, the next task would have to be undertaken at once—to work energetically and persistently for *another* effort to forestall a holocaust. Again the outcome depends on the power which the peace movement can command. Let the peace workers, therefore, take stock and realize where their power lies.

TO BEGIN with, the peace movement in America has become a reality and is gathering momentum. For the first time since Pearl Harbor, peace-oriented periodicals are burgeoning, increasing numbers of scholarly articles on disarmament are appearing, letters to editors are no longer dominated by professional patriots, *ad hoc* pressure groups are springing up, and even the allegedly apathetic college generation has been able to mobilize a massive demonstration in Washington.

Second, the peace movement is no longer the exclusive domain of pacifists, that is, of people who see only the moral issues of violence and refuse to establish a common ground for discussion with any who do not share their ethical conviction. Nor

ANATOL RAPOPORT is a mathematical biologist, and author of Fights, Games, and Debates *(University of Michigan Press). J. DAVID SINGER is a political scientist and author of the forthcoming* Deterrence, Arms Control, and Disarmament *(Ohio State University Press). Though the authors sharply disagree on a number of security policy issues, they have felt that this question is important enough to justify the stylistic and substantive concessions necessary to a joint effort.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

is the peace movement dominated by an "America is always wrong" attitude. There is in it sufficient political sophistication to dismiss the simplistic idea that either power is primarily to blame for the arms race. There is, in short, an increasing understanding of the inherent dynamics of the present impasse.

In these two factors—a spontaneous growth on the grass-roots level and a respectable measure of political sophistication—lies the strength of the present peace movement. In the days to come, it will be important to use that strength wisely.

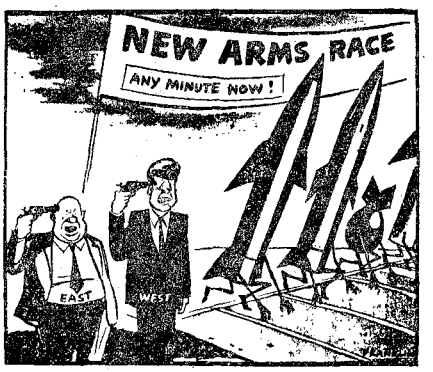
THE "inherent dynamics" of the present impasse can be understood and intellectually accepted by anyone who is reasonably well informed and reasonably free from hate-blindness. We live in an international system pervaded by scarcities, real or apparent: scarcity of resources, of territory, of prestige and, above all, of security. Moreover, we live in a climate of ideas in which all these tangibles and intangibles are implicitly believed to be "conservative quantities." That is, one nation's gains are interpreted as another's losses. As the adversary increases, or seems to increase, his security (having no basis for it but relative power), *our* security seems to decrease, and vice versa.

It is necessary to understand this situation in order to appreciate the decision maker's predicament. The decision maker believes that he is tightly constrained to the vicious circle of threats and distrust. To put it concretely, the peace workers must realize that neither Kennedy nor Khrushchev is a warmonger or a fool. Each is largely a victim of perpetuated illusions (i.e., convictions of the other's *inherent* ruthlessness and duplicity). These illusions have become realities by virtue of the fact that each side's actions (which are overt and demonstrable) are motivated and dominated by these illusions and corroborate the illusions. The effects are reciprocal.

The peace worker must give expression to his awareness of this situation. As long as the national policy maker sees the peace worker as either blind to the constraints under which the policy maker must operate or in uncompromising opposition to the demands placed upon him, the policy maker has little choice but to dismiss the peace worker as naive or as dangerous.

The constraints under which the decision makers responsible for national security must work are indeed severe. Most of these men are convinced that the most reliable short-run means for preserving security is to threaten the use of military force in order to restrain any tendency on the part of the adversary to threaten that security. In order to make the threat of military force effective, two conditions must be met. First, we must have an adequate inventory of hardware and therefore a corresponding allocation of income to acquire and to maintain it. Second, the Soviets must believe that the Administration has the support of the public and of Congress (a) regarding the Administration's evaluation of Soviet action (e.g., of the degree to which they are dangerous or threatening) and (b) in the decision to resort to war when and if the Administration deems it necessary. These conditions cannot be met if there is a large and articulate segment of the population expressing sharp disagreement with major national security policy. In such a case, the policy makers reason, the Kremlin will be tempted to push us very far diplomatically and even, conceivably, to engage in certain types of military adventurism. If these are not idle fears, it is understandable why some policy makers view the peace movement's new momentum with alarm.

If any influence is to be exerted on those who see themselves responsible for the nation's security, these apprehensions must be taken into account. In doing so, the peace workers will be setting an example of how they would like the policy maker to behave, in his own turn, so that his negotiations and policy decisions will take due account of the suspicions and apprehensions of the Russians. The key to improved communication is the allaying of fears. The policy maker's feeling that the peace movement may be a menace to American security can be mitigated if (a) the peace workers give public expression to their awareness that the policy maker must operate under the severe constraints imposed by the strategic dilemma, and if (b) they firmly resolve to play a responsible social role; that is, to refrain from *indiscriminately* attacking every security measure undertaken or contemplated by the Administration. Rather, the peace workers must point out that each decision must be approached in terms of balancing *two* types of dangers: the threat against which the security measure is taken, as well as the very real hazards which may be associated with the security measure itself.



Franklin: Toronto Star
"Ready . . . Steady. . . ."

NOW in order to talk sense about relative magnitudes of risks, it is essential that peace workers begin to acquire a modicum of literacy in matters of concern to the policy maker, and particularly in the details of strategy and technology. A case in point is the elusive but quite central distinction between the weapons, deployment and doctrine associated with the "first strike" and those associated with the "second strike." In order to talk at all about policy within a context imposed on the policy maker (i.e., in order to talk to *him,* not just to other peace workers), this central distinction must be understood. Once it is understood, it may be possible to make common cause with those many individuals, in and out of uniform, who have already rejected the "credible first strike capability" argument, that absurd and vicious caricature of the policy of deterrence. Such a course may be effective in two ways. First, it may lead to a strengthening of the hand of the more responsible and farsighted men who make national security policy; second, it could indicate to those same people

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that the present peace movement is not essentially a "repent while you can" operation. On the contrary, it would provide evidence of the degree to which the peace worker has come to understand the difficult choices with which the policy maker is confronted, and indicate that the peace movement is a source of support against the bloodthirsty idiocy of the "first strike" doctrine.

THE foregoing points of this memorandum have been directed toward establishing channels of communication, primarily with our policy makers; for it is obvious that such channels must exist if recommendations of policy, no matter how persuasive, are to have any effect. But this job is preliminary to the major task of the peace worker: to strengthen the responsible forces for peace in America, so that the corresponding forces in the Soviet Union may also be strengthened. How might this be done?

If we trace the course of events since the cold war took control of Soviet-American relations, the answer seems relatively clear. When, for example, the USSR broke the three-year moratorium on atmospheric testing of nuclear weapons, what was the impact on the various concerned groups in the United States? Those who, for whatever psychological, ideological, strategic or financial reasons, were already on the pro-testing band wagon, were immediately provided with an extraordinarily persuasive argument. Prior to that moment, the Administration was reasonably confident of an overall advantage in warhead technology and felt that the technological gains of further testing would not be strategically important enough to offset the long-run costs. Even *after* the Soviet Union completed its underground and atmospheric test series of the past several months, some people in the Administration felt that the above argument against testing still applied. However, the unholy alliance of the empire-building physicists, their collaborators in the Atomic Energy Commission, the first-strikers in the Pentagon, the Red-hating politicians, and the sensationalist press was able to mobilize enough power to offset the prudent judgments and the sense of responsible restraint which had hitherto been dominant.

The lesson to be drawn is that the President's announcement of *our* decision to resume atmospheric tests has likewise strengthened the no-peace factions on the other side. They can now say to Khrushchev (and their arguments will be hard to resist), "We had nearly caught up, but they have opened their lead again; therefore we, too, must prepare for another round of nuclear tests." Whenever the shortsighted and bellicose faction on either side "wins" in the internal policy struggle, the victory gives support to the corresponding faction on the other side. There is strong evidence that Khrushchev and Kennedy are both concerned, responsible and prudent searchers for a reasonably safe disengagement from the precarious arms race, but it seems that they have been caught in the tragic web of reciprocity. We must understand this to help them escape.

In order, then, for us in the West to do what we can to strengthen the competitive coexistence factions in the Soviet Union and incidentally in the satellites (whose voices we seldom hear but which are even more likely to be reasonable and conciliatory), we shall have to advocate a number of relatively risky policies. It is difficult to predict how the USSR would respond to a conciliatory act, to be certain that it would not be tempted to exploit any momentary advantage in the over-all strategic balance. But these very real risks must not blind us to the equally real and ominous risks of an adamant no-trust policy.

A GOOD EXAMPLE of a choice point at which this type of reasoning could have been applied was the early period of the test-ban negotiations. At that time, the Soviet negotiators had not only committed themselves to the principle of international inspection for the detection and identification of clandestine nuclear detonations, but had actually agreed to a highly detailed plan of implementation. Whether or not they had the intention of going through to a final treaty and actually permitting Western and neutral inspectors within their territory, we cannot be certain. But if the possibility did exist—and it certainly seemed a real possibility to many of our negotiators—then we made a tragic blunder in introducing the new "evidence," which allegedly came from the Hard-tack and Cowboy experiments.

Very simply, what happened was that those who were rigidly opposed to the test ban or to any other kind of arms reduction or arms control were desperately casting about for a way to scuttle the negotiations. They finally found their means in the RAND Corporation memorandum which argued that a determined evader could detonate his warheads in underground caverns and man-made holes, and thereby reduce the seismic signal by a factor of about 300. That the hole would need to be of 4,900,000 cubic meters in order to (perhaps) muffle a 70-kiloton detonation, that most caverns or holes could be used only once, that their cost in time and money was all but prohibitive, etc., were all brushed under the carpet. The public was simply told that the Soviets could easily evade the agreement. Thereupon, we radically raised our requirements for the inspection system and demonstrated a lack of good faith to the Soviet negotiators. The result was a new round of acrimony and a stiffened bargaining position on each side. The Soviet tests of last September were the consequence.

HAD THE American peace movement been better informed, it would have been able to participate more effectively in the test-ban debate *in the context in which the decisions were made,* that is, in terms of national security as seen by the policy makers rather than in terms of fallout hysteria and of claims to moral superiority. Fallout dangers are apparent to most, and the moral superiority of nonviolence is recognized by many, but these factors are simply not decisive with those who are presently responsible for big-power policies in matters of war and peace. On the other hand, there *are* arguments for a restrained policy and for progress toward disarmament that are relevant to the context in which the policy maker must act. It is on these that the peace worker must

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

focus his attention if his purpose is to influence policy.

To summarize, if the American peace movement, now enjoying a dynamism which has hitherto escaped it, is to play an effective role in slowing down and perhaps reversing the gruesome race toward destruction, its members should go through a certain amount of soul-searching. We must give up simplistic notions about the forces which operate upon the policy makers and must give clear expression to a revised image of the world. We must not only fight the no-peace elements here at home but also help bring about the psychological and strategic conditions under which Mr. Kennedy and his responsible colleagues can stand up against them. The President can do so with the help of a knowledgeable, realistic and powerful peace lobby. Strengthened in his resistance to the American warmongers, the President can help strengthen the peace factions in and around the Kremlin. Like the war process, the peace process has a self-perpetuating potential.

The Diminishing Role of Congress . . *Duane Lockard*

CONGRESS, by single-minded concentration on its nay-saying power, has maimed itself. It is so marvelous an instrument for stopping action that its position in the councils of government and in the eyes of the public has been seriously diminished. The legislative branch has lost prestige and political importance, paradoxically enough, during an era of unprecedented expansion of the sphere of federal government. Throughout this century, the Executive and the courts have expanded their powers, while Congress has headed in the opposite direction. Has Congress, in fashioning its intricate tools for stopping action, devised a means of self-defense against the encroachment of the Executive (as its members insist) — or has it produced a suicide weapon?

In its negating power, Congress has authority that other political figures must defer to, of course; but in its concentration on the power *not* to act, it has assured its own decline rather than made the most of its potential authority as a coordinate branch of government. This is primarily the result of dispersing authority among the individual Congressmen instead of attempting to employ the organized power of the whole institution. The Senate will not consider limitation on the opportunity to kill law by filibustering; the House will not curb the power of the Rules Committee to deny access to the floor for important legislation.

The power to delay or to forbid a vote is the power to legislate. As the agenda of Congress lengthens (and it has doubled since the end of World War II), time on the floor of the two Houses is at an ever greater premium; accordingly, the blackmail game is the more easily played. Without any change in the rules, the power of the gatekeepers grows quietly, covertly. The gatekeepers are chosen, not by any overt act of the political parties or major interest groups, indeed not even by the members of Congress. They are chosen by the lottery of the seniority system and are kept in power by a pattern of deference to the undeniably great authority that derives from the power to say no.

PUBLIC acceptance of this dispersal of authority is a fact. No one need contend that the mass of the American people are unhappy over the nay-saying power of the committee chairmen or of the Southern Democratic-conservative Republican coalition in both houses. Some observers are angry, to be sure, and others are delighted at the way the system works, but the great majority have no strong feelings one way or the other for the simple reason that they are not given to assessing the operations of Congress or of any other major institution of government.

But from time to time a considerable number of people do have feelings about particular proposals that get killed by Congressional hatchet men. In all likelihood, for every minority pleased when Congress kills a bill, in most cases a larger number of people are angered. For the negating power is pre-eminently a tool that serves a small minority who wish to stop action (although obviously not invariably so). To get any kind of serious legislation off the dead center of apathy to the stage of serious possibility of affirmative action requires that a good many people be stirred to at least a moderate level of concern. To deny their demands without giving them even the opportunity to have a "fair" vote on the matter, which happens when proposals die in committee, invites frustration.

Two reactions to the inaction-blockage system may be noted. One has been the systematic transfer of functions away from Congress; the other (and in part contributing to making the transfer possible) is a growing sense of dissatisfaction with Congress.

As a measure of the absolute decline of Congress, consider the budget, once almost the sole prerogative of the Legislative branch. Now the budget is substantially an Executive responsibility, with Congress reduced to pecking about at its edges — not without effect, of course, but not with much ultimate power, either. Or consider the more recent developments in the matter of public policy on racial equality. As the attitude of the public shifted toward an acceptance of the Negro, the possibility of governmental action grew. Congress, bound by its internal incapacity to act, was simply bypassed. The courts, perhaps the worst equipped of all our institutions

DUANE LOCKARD teaches political science at Princeton University.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

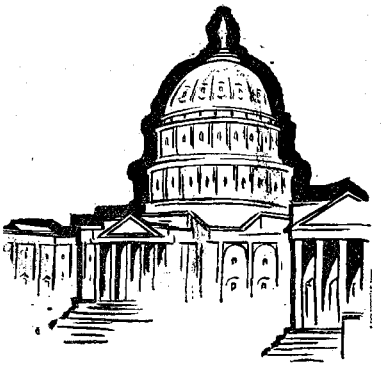
for carrying out dynamic policies like this, made the decision. (This led several legal commentators to argue that in some intangible way the courts are really the most *representative* of American governmental institutions. But this they will have to contest with the strong-Executive advocates who, of course, put the President forth as the *real* representative of the people. Shades of Daniel Webster!)

THE TRANSFER of authority from Congress to the Executive branch that has been taking place is too obvious to need elaboration. Not all of the transfers are the consequence of Congressional incapacity to move, but many are. The current fight over tariff policy is illustrative. Tariff policy is certainly not too complex for Congress to handle. Rather, the reason Congress cannot handle such legislation is that it cannot resist breaking down into an Oriental bazaar of individual hagglers for reciprocal concessions in behalf of special interests. The broader interest of the community has no leadership to sustain it when such bickering monopolizes the floor. Recognizing reluctantly the dangers of leaderlessness and disorganization, Congressional majorities have sadly handed away tariff-setting powers. No doubt they will do so again in the current session.

Ultimately, if Congress can serve no other role than that of an erratic brake, some other institution will assume the task of "representing" the public, or the representative function itself will be pushed into the background by the development of less democratic governing techniques. Like other institutions, legislatures adapt themselves to the beliefs and practices of a society, or they cease to have power. As organs become vestigial in animals, so do institutions in social life. Forms may survive, but functions are dynamic and shift according to the realities of politics. There is nothing inevitable about the legislative function in American national government. Congress is not the institution it was fifty years ago; fifty years hence, it will not be the institution it is now.

Advocates of Congressional self-restraint are fearful that the removal of internal checks, such as committee power to stifle legislation, may put in the hands of Congressional leaders an unbearable power to command the House and Senate. They fear this might result in slavish obedience to the demands of the White House, with consequent withering of the role of Congress. At least that is what they claim to fear; one may suspect some of them of valuing their ready means of killing unwanted liberal legislation.

But taking the charitable view and assuming the advocates of restraint are fearful of a too-powerful leadership, how realistic is their fear? No doubt such power, if granted, would occasionally be abused — in the per-



spective of *some* people, no doubt nearly all the time. The question is, however, whether the present dispersal of power is more subject to abuse than an arrangement which emphasized the leadership's role in traffic control.

Conspicuousness is more likely than obscurity to induce responsibility in a power-wielder. We might therefore expect more discretion in the use of powers by a leadership more consciously chosen than we get from the present individualistic veto system. We might reasonably expect more deference to the desires of the major elements in Congress and in the nation than is the case with isolated members whose major, if not sole, concern is the special interest of their respective districts. It is natural for a Congressman to emphasize the interests of his constituents. In doing so, he is a representative of their views, however ignoble or idealistic they may be. The rub comes when the individual member is given the authority *to decide for all* without even an opportunity for the rest of Congress to have a chance to act.

Also, before assuming that leadership power to assure that matters be brought to a vote would lead to dictatorial authority, one should examine the context within which this power would operate. Certainly the pitiful weakness of our national parties, their utter incapability to exercise discipline over members of Congress, the pluralism of our society and the well-placed impediments of our Constitutional system which disperse power all over the political map — certainly these features of our politics do not suggest the likelihood of runaway power.

To achieve stronger leadership may be impossible. Leaderless and fearful of leadership, members of Congress seem either satisfied with their power positions, or they are impressed with, and aspire to, the awesome nay-saying power of some of their colleagues. Our popular notions about the proprieties of politics support Mr. Jones, who goes to Washington to become a hero as a fearless independent, and not the disciplinarian who holds tight rein over a caucus. Yet to say that achieving greater leadership power would be difficult is not to say it would be unwise.

CONGRESS, it is said, does not share President Kennedy's sense of urgency either about national or international problems. More immediate concerns are said to move them. This, of course, is characteristic of the institution. Even Calvin Coolidge recognized the provincialism of Congress in contrast with his own office. It was he, amazingly enough, who said, "It is because in their hours of timidity the Congress becomes subservient to the importunities of organized minorities that the President comes more and more to stand as the champion of the rights of the whole country."

Yet our times are not Coolidge's. In calmer days, Congressional incapacity to bring matters to a vote was less serious. Under today's pressures, if deliberation means perpetual delay and representation means stalemate, then deliberation and representation, however demonstrably essential they are to a democratic

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

politics of compromise and adjustment, will be jeopardized.

In choosing its Prometheus-like role, Congress undoubtedly reflects deeply cherished American values about the desirability of political independence and the virtue of chopping down political party leaders. There is an alternative, if contradictory, American respect for the principle of majority decision when the opposition has had its reasonable opportunity to be heard. The chances are, however, that the legislators will adhere to the first set of values, and this poses a serious question: Can Congress survive the choice of roles it has made?

PROTESTERS AT THE OLD BAILEY

CONSCIENCE ON TRIAL . . *by James D. Garst*

London

BRITAIN'S nuclear weapons stood in the dock in London's Old Bailey in mid-February, along with six members of the Committee of 100 who were on trial under the Official Secrets Act for their part in a sit-down protest at Wethersfield Air Base on December 9. But the judge ruled the bombs were not on trial. The six were convicted, and an appeal has been entered.

The defendants, all of the "Bomb Generation," were Michael Randle, secretary of the Committee, 28; Trevor Hatton, treasurer, 30; Ian Dixon, 25, and Terence Chandler, 21, both Committee marshals at Wethersfield; Patrick Pottle, 23, field secretary; and Mrs. Helen Allegranza, 33, welfare secretary. All were members of the working group, which maps the detailed plans of the Committee of 100's nonviolent civil disobedience against nuclear weapons.

After six days of trial, the jury, which had been barred by the judge's ruling on law from hearing expert testimony about the use of nuclear weapons, debated four hours before convicting. The jury's hesitancy was further indicated by its unanimous recommendation for leniency.

The five men drew jail sentences of eighteen months. Mrs. Allegranza, who alone had no previous convictions for civil disobedience, was given twelve months. Anticipating the lighter sentence, she interrupted the judge without effect to say she wished to be considered "equally guilty."

Immediately after the sentencing, Lord Russell (Bertrand Russell), president of the Committee and a defense witness at the trial, went to Cannon Row police station to "affirm that I am at least as responsible for the demonstration at Wethersfield" as the six. "I fail to see any reason why I should escape prosecution while they do not," he added.

In his wake, about 400 members and supporters of the Committee have turned in similar declarations to the police. There is to date no indication that the government will begin further prosecutions.

The day before President Kennedy announced resumption of atmospheric testing, the Committee proclaimed its next action—a public assembly to be held in London's Parliament Square on March 24. Civil disobedience could result if the police obstruct the participants as they gather to protest American use of British-owned Christmas Island for testing, and the British underground test in Nevada.

A SIGNIFICANT number of Labour members of Parliament have been seeking a House of Commons debate in the aftermath of the trial —so far unsuccessfully. They are disturbed by the severity of the sentences, which are regarded as excessive by many Britons who are in sympathy with neither the Committee's goals nor its methods, and by the use of the Official Secrets Act in proceeding against activities which did not involve espionage.

The act makes it an offense to approach, be in the neighborhood of, or enter a prohibited place such as an air base, "for any purpose prejudicial to the safety or interests of the state." During the trial the defendants freely acknowledged that they had, as charged, conspired to incite others to enter Wethersfield, and conspired to enter themselves. But, they contended, far from doing this for a purpose *prejudicial* to the state, they did it for a purpose *beneficial* to the state. By grounding all planes and immobilizing the base for the period of the sit-down, the Committee intended "to prevent the massacre of millions of people," Randle testified, and to publicize the facts of nuclear war.

Wethersfield is a Royal Air Force base about fifty-five miles northeast of London, which is leased to the U.S. Air Force. On it are stationed squadrons of F-100 Super-Sabre jet tactical fighters, with an acknowledged "nuclear capability." They are commanded by the 20th Tactical Fighter Wing, 3rd USAF, and committed to NATO under Supreme Commander, Allied Forces, Europe. The United States public information officer at Wethersfield, asked if nuclear weapons were stored at the base, said, "No comment." The "nuclear capability" of the F-100s appears to be air-to-ground and air-to-air missiles with warheads in the kiloton range—far smaller than the "H-bombs" that were referred to recurrently in the trial.

The Committee of 100's purpose in going to Wethersfield, in the words of its briefing leaflet, was to "ground all aircraft and demand the reclaiming of the base for civilian purposes." This was to be accomplished by blocking main entrances, simultaneously with walk-ons to the base itself by a number of groups who were to "cross the fields surrounding the base . . . and sit in

---

JAMES D. GARST, an American writer living in Britain, is at work on a book about the nuclear disarmament movements.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

front of the aircraft and the fuel and H-bomb storage sites." The briefing added, "The main runway will not be blocked to any incoming planes."

The walk-on tactic was abandoned when only 700 of the 1,500 demonstrators hoped for turned up. Sitters blocked two main entrances, one fully and the other partially. Sixty-nine arrests were made for obstruction, with small fines or short sentences meted out to most offenders.

At the same time, sit-downs were being conducted at USAF administrative headquarters in Ruislip, a London suburb; at Brize Norton, near Oxford, where there is a USAF Strategic Air Command H-bomber base; and in the city centers of Manchester, York, Bristol and Cardiff. More than 5,000 demonstrators sat down that day, of which only 591 were arrested on charges of obstruction. Serious charges emerged against only the six who came to trial in February, this being an example of the tactic of selective prosecution which is the British Government's answer to the sit-downs.

THE DEFENSE could make its case only by putting nuclear weapons themselves on trial—a tactic tantamount to making a political platform of the court. The argument had three other purposes: to blunt the edge of selective prosecution by indicating the joint participation of large numbers of people in the admitted "conspiracy"; to validate the method of nonviolence in opposing the policy of ultimate violence inherent in the possession of nuclear weapons; and to make clear the duty of individuals to disobey laws which lead to crimes against humanity.

The prosecution's case was put by Sir Reginald Manningham-Buller, the attorney general, in his opening remarks: "It is just a simple question of fact. In the world of today we maintain forces for the defense of this realm and for our security. We hope the occasion for their use will not arise again. We maintain an Army, a Navy and an Air Force. Deliberately to do something to immobilize any part of our defenses, to immobilize . . . an aircraft, to put a weapon out of action, deliberately to seek to ground all aircraft at an airfield belonging to Her Majesty, is in my submission beyond all shadow of doubt, seeking to do something prejudicial to the safety and interests of the state."

To challenge this "simple question of fact," the defense had assembled a battery of expert witnesses, among them two Nobel Prize-winners, Bertrand Russell and Linus Pauling, and Sir Robert Watson-Watt, the inventor of radar.

Jeremy Hutchinson, Q.C., counsel for five of the defendants, told the judge he desired to call these witnesses to testify "as to fact" on "the effect of exploding a nuclear bomb . . . the chances of an accidental explosion of such a bomb . . . the basis on which the aircraft are there . . . as a deterrent to any enemy, which is fundamentally misconceived, and is one which involves the greatest possible danger to this state."

Sir Cecil Havers, the judge, remarked: "I think it is going to lead to very odd results. Another Committee of 100 might take the view that it was beneficial to the country to abolish the Army. Another . . . might take the view that it was beneficial to the country to abolish the Navy. They would completely immobilize the Army, the dockyards, the barracks and ships—and Parliament. Parliament is answerable for the security of the people."

AFTER hearing extended legal argument from both sides, the judge declared: "I am unable to accept the argument of Mr. Hutchinson that he is entitled to call evidence to establish, if he can, that it would be beneficial for this country to give up nuclear armament, or to call any evidence as to the armament stored on the airdrome or in the airplanes, or as to the honest beliefs of the accused that it would be beneficial to this country to give up nuclear weapons."

According to British court procedure, Hutchinson was thus precluded from attempting to call such witnesses. However, a defendant acting as his own counsel enjoys considerably broader latitude, and foreseeing the possibility of an adverse ruling on admissibility, Pottle had elected to act as his own counsel. It was from him that most of the sparks in the trial were to issue.

The first of them came during Pottle's cross-examination of Air Commodore Graham R. Magill, director of operations of the air ministry. The prosecution had called him to testify about the situation at Wethersfield. Manningham-Buller had questioned Magill about the USAF squadrons:

> Q. Can you say of your own knowledge, and describe to us, anything about the part they play or might have to play in the defense of this country?
>
> A. They are vital to the defense of this country.
>
> Q. And in relation to other countries in the North Atlantic Alliance?
>
> A. They are equally vital. . . .
>
> Q. What is the position with regard to the readiness of those squadrons?
>
> A. The squadrons are combat-ready and are on constant alert.
>
> Q. Constant alert means they are ready to take off at any time . . .?
>
> A. That is quite correct.
>
> Q. In the event of an emergency, how would their effectiveness be affected if they were prevented from taking off?
>
> A. Any interference with the ability of these aircraft to take off would gravely prejudice their operational effectiveness.

The tautological nature of this answer was not subsequently explored. However, Hutchinson brought out in cross-examination that in pretrial proceedings, Magill had been more specific:

> Q. The words you used before were: "Any interruption in their ability to take off at any time would have been prejudicial to the safety of the state"?
>
> A. That is correct.
>
> Manningham-Buller: He was not asked for his opinion upon that matter. He gave his evidence in relation to the aircraft. I have not asked him that.
>
> Hutchinson (*questioning Magill*): You were asked your opinion at the magistrates' court, were you not, on the very words which the jury have to consider in this case?
>
> A. That is true.
>
> Q. . . . and today, you, as we have just heard, were deliberately not asked those words. You appreciate that?
>
> A. I do.

Pottle took up the cross-examination. A compositor and son of Irish working-class parents with a history

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of radical involvement, he had been conscripted into the RAF, where he served as a hospital orderly. He now asked Magill:

Q. . . . is there any official order you cannot accept?

Mr. Justice Havers: Is there what?

Pottle: Is there any official order from the government that the air commodore would say to himself, "I accept orders, I am a servant of the government, but on this particular occasion I cannot accept this order"?

Mr. Justice Havers: He is an officer in the forces of Her Majesty.

Pottle (*to Magill*): So actually there is no order you would not accept?

A. It is my duty to carry out any order that is given to me.

Q. Would you press the button that you know is going to annihilate millions of people?

A. If the circumstances so demanded it, I would.

Q. Would you slit the throats of all the two-year-old children in this country, Air Commodore?

Mr. Justice Havers: I think you must stop all that.

Pottle: I feel it was comparable with the effects of the nuclear weapons. It was the same as saying he would press the button to explode the nuclear bomb. (*To Magill*): Have you read the summing up of the judge at the Eichmann trial?

Mr. Justice Havers: Where are we getting to?

Pottle: I just wanted to say what the judge said in the summing up of the Eichmann trial. Perhaps I can read it. It is two lines.

Mr. Justice Havers: I don't think we can have that. It is nothing to do with the entry on the 9th December at Wethersfield base.

After the judge had stopped a number of questions about statements on nuclear war by Sir Winston Churchill, and in governmental Defense White Papers, Pottle said:

"I am trying to establish—perhaps I can ask your advice in this: in the charge it reads what we are doing is prejudicial to the safety of the state. Every witness the prosecution has called has refused to say that what we were doing was against the interests of the state."

Mr. Justice Havers: Yes, and I will tell you why; it is for one reason, because it is for the jury to decide.

Pottle: Could I know who has said this? I should like to know who it is that says what we did on the 9th December was prejudicial to the interests of the state.

Mr. Justice Havers: It is for the jury to decide on all the evidence.

Pottle: No one has made this statement, because if they have I would like to subpeona them and discuss the problem with them in the dock.

Mr. Justice Havers: Maybe, but you won't have that opportunity.

Pottle: So no one has made that statement.

Mr. Justice Havers: No one has given it in evidence in this court.

Pottle: Thank you. (*Questioning Magill again*): In 1945, Air Commodore, men were put on trial at Nuremberg—

Mr. Justice Havers: Where are you going to now? You are at Nuremberg now, are you?

Pottle: Yes.

Mr. Justice Havers: You will have to leave Nuremberg.

Pottle: As I heard the attorney general bring into his opening something about international law, perhaps it would be permissible for me to quote the United Nations Charter on nuclear weapons.

Mr. Justice Havers: It would have no bearing at all.

Michael Randle was the only one of the six to take the stand under oath. It thus fell to him to define for the defense the purpose of the Wethersfield demonstration and the use of civil disobedience in challenging nuclear armaments.

Lithograph: A. Paul Weber

The Unborn

DURING his examination, Hutchinson read out several sections of "Act or Perish," the Committee of 100's manifesto. It starts:

"Every day, and at every moment of every day, a trivial accident, a failure to distinguish a meteor from a bomber, a fit of temporary insanity in one single man, may cause a nuclear world war, which, in all likelihood, will put an end to man and to all higher forms of animal life. . . .

"It is difficult to make the facts known to ordinary men and women, because Governments do not wish them known and powerful forces are opposed to dissemination of knowledge which might cause dissatisfaction with Government policies. . . . It is difficult to resist the conclusion that most of the makers of opinion consider it more important to secure defeat of the "enemy" than to safeguard the continued existence of our species. The fact that the defeat of the "enemy" must involve our own defeat, is carefully kept from the consciousness of those who give only a fleeting and occasional attention to political matters. . . ."

The manifesto continues: "Against the major forces that normally determine opinion it is difficult to achieve more than a limited success

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

by . . . constitutional methods. We are told that in a democracy only lawful methods of persuasion should be used. Unfortunately, the opposition to sanity and mercy on the part of those who have power is such as to make persuasion by ordinary methods difficult and slow, with the result that, if such methods alone are employed, we shall probably all be dead before our purpose can be achieved. Respect for law is important and only a very profound conviction can justify actions which flout the law. It is generally admitted that, in the past, many such actions have been justified. Christian martyrs broke the law, and there can be no doubt that majority opinion at the time condemned them for doing so. We, in our day, are asked to acquiesce, passively if not actively, in policies clearly leading to tyrannical brutalities compared with which all former horrors sink into insignificance. We cannot do this any more than Christian martyrs could acquiesce in worship of the Emperor. Their steadfastness in the end achieved victory. It is for us to show equal steadfastness and willingness to suffer hardship and thereby to persuade the world that our cause is worthy of such devotion."

Randle's testimony developed these ideas for the jury.

Manningham-Buller in cross-examination touched on the difficult matter of using civil disobedience in a democracy:

> Q. You say you were doing it because it challenges the present concepts of democracy. That is why you were seeking to make it impossible for the authorities to function effectively.
>
> A. We did want to challenge some of the concepts which are taken for granted in the democracy at the moment. For example, some people just take rule by the majority just simply on its own case, and do not take into account the fact that certain laws may be unjust and may have to be obstructed in certain situations.

Randle went on to say: ". . . It was our policy to challenge many of the accepted ideas of democracy. One was the blind obedience to any law which was passed by the majority."

Randle had one further interchange with the attorney general which was to gain in significance as further defense witnesses were prevented by the judge from answering questions:

> Q. You have said it is not necessary to be a pacifist to be a member of the Committee of 100. Are you a pacifist?
>
> A. Do you think my personal views are relevant, Mr. Attorney General?
>
> Q. Will you answer the question?
>
> A. I will ask the judge whether your questions are relevant or not before I tell my personal views.
>
> Mr. Justice Havers: I think you must answer that.
>
> Randle: Yes, I am a pacifist.

Hattan, Dixon, Mrs. Allegranza and Chandler each made a brief statement from the dock. Hatton said, ". . . It should be quite obvious to the members of the jury that our purpose was not prejudicial to the safety or interests of the state, since under international law it has been shown conclusively that men have a right, a duty, to protest when genocide is about to be waged, and at any moment of this day, or any future day, while nuclear weapons exist, and governments threaten to use them, we may all be wiped out instantaneously, or more unfortunately, perhaps, be left to linger on in a devastated world, with no possibility of justice; the courts will be destroyed and civilization will be a shambles and justice will be a farce."

DIXON accepted, with the full Committee of 100, responsibility for conspiring to enter the base and inciting others to do so "because I feel there are some things which even a democratic society may not do. One of these is to consign millions of human beings . . . to death—to destruction —in an indiscriminate and ruthless fashion. Hitler gained power . . ."

Here Mr. Justice Havers interjected: "You know, I do not think we can widen it. We cannot have this, you know, what Adolf Hitler did. You must make statements relevant to the charges against you."

> Dixon: I feel this is relevant. Sir, it will be brief, I assure you.
>
> Mr. Justice Havers: . . . What do you want to say about Adolf Hitler?
>
> Dixon: I wish to suggest that those who should have resisted him did not do so until it was too late and I would like to suggest that this is one of the reasons why, even though in this country we have certain democratic liberties which do not exist in other countries, it is necessary to step outside the law and to resort to unconstitutional actions. . . . It is not from disrespect for the comparative freedom of expression in this country that I do the things with which I am charged, but because I can see that preparation for genocide involves a complete destruction of the moral values upon which civilization should be based. I do not feel, therefore, that my actions have been contrary to the interests and safety of this country or any other, and I have no regrets for such actions.

It now fell to Patrick Pottle to attempt, by calling the witnesses Hutchinson was barred from calling, to summon for the jury a picture of the kind of evidence they were to be prevented from hearing.

Opening his case, Pottle said: "I submit these people in the dock were not doing this because they liked breaking the law. . . . They were doing this because the government sees fit to have nuclear weapons. The government sees fit not to tell the people of this country the facts about nuclear weapons, the facts about the effects of nuclear weapons, the facts about the radar system that they are based on. The facts of what will happen if one of these bombs goes off by accident. The fact we cannot possibly defend this country with nuclear weapons. The fact strontium-90 is the fallout from nuclear weapons. The fact that in just testing a nuclear bomb we are responsible for the deaths eventually — not immediately but eventually — of thousands of people."

Pottle's first witness was a Roman Catholic clergyman, Archbishop Roberts, formerly of Bombay. Pottle asked him,

"Morally, are nuclear weapons in the interest of the state?" The judge directed the witness not to answer. After further discussion, Pottle said to the judge, "But surely, my lord, you cannot possibly rule out the case of morality."

"In my view, it is not relevant," the judge replied.

"I was just trying to make the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

moral justification," Pottle answered.

"It has nothing to do with this case, you see, Pottle," said the judge.

Gene Sharp, an American Quaker working at Oxford on advanced research on resistance movements to totalitarian regimes, was similarly stopped by the judge from testifying about the ethics of nonviolence.

TWO members of the Committee of 100 — William Fitzgibbon, an American schoolteacher in London, and actress Vanessa Redgrave — testified that they shared full responsibility with the defendants and other members of the committee for the Wethersfield demonstration. Fitzgibbon said he had reconnoitered the base to help plan it.

Sir Robert Watson-Watt was prevented from answering questions about the use of radar in detecting airplanes and missiles and about whether nuclear bases were beneficial or prejudicial to the state.

Dr. Linus Pauling was similarly frustrated. Pottle began to ask him about a quotation from the American Declaration of Independence. The judge stopped it, saying, "Well, we can't hear it." After further questioning, the judge said, "I cannot allow any expert evidence on nuclear weapons — I have ruled that out."

Mr. Justice Havers allowed a bit more latitude when Bertrand Russell took the stand — latitude that was based on Russell's authorship (jointly with Reverend Michael Scott) of the "Act or Perish" manifesto, which had been introduced as a prosecution exhibit.

Russell explained that his purpose in forming the Committee of 100 "was . . . if possible to prevent the extermination of the people of this country, and many millions of people elsewhere. . . . It seemed to me that all the countries of East and West were in dire peril and people didn't know it. . . . My ultimate purpose is to prevent a nuclear war — but I thought the first thing was to get the facts known."

Pottle asked Russell if he had conspired and incited people to block Wethersfield base on December 9. The judge intervened to warn Russell that he needn't answer any question which he felt might incriminate him.

> Russell: Have I not a right to incriminate myself if I wish to?
>
> Mr. Justice Havers: . . . You are perfectly entitled to incriminate yourself if you wish to do so.
>
> Russell: Well, I do.

IN HIS summation, Pottle referred to previous uses of civil disobedience — the Christian martyrs, persons who "aided and abetted" Jews in Nazi Germany, the suffragettes and the early trade unionists. "Can any of us condemn what is going on in Georgia, and the Deep South, where the Negroes cannot sit in cafés and hotels because they are banned because of the color of their skin? Can we condemn them for doing it? It seems to me that this country is always saying: 'How marvelous it is what the colored people are doing in Georgia and what the Africans are doing in South Africa, and civil disobedience is a good thing as long as it does not happen in England.' These beliefs of a man to join a trade union and the right of a woman to be allowed to vote: we accept these things today, but people who put forward these ideas a few years ago were persecuted for their beliefs.

". . . I ask you, members of the jury: Is it in the interests of the state when we are all dead? As I stated previously, if you feel no evidence has been produced as to whether our purpose was prejudicial — and we could not call witnesses to say that our purpose was in fact beneficial — then there is only one verdict you can bring in, and that is 'Not guilty.'

"There comes a time in a person's life," Pottle continued, "when he must say: . . . 'The things going on around me are wrong, they are immoral, and they will eventually lead to mass suicide, and it is my duty as a human being to say that I can no longer acquiesce in the decisions that are being made in my name and it is my duty to protest in the strongest possible way I can.'

"Just outside this courtroom in the main hall engraved on the wall is a quotation. . . . It says: 'The welfare of the people is the supreme law.'

"Ladies and gentlemen of the jury, I submit to you that our purpose in going to Wethersfield was not prejudicial to the interests of the state, but was in fact beneficial, and I also submit to you that it is not just six people in this dock who are on trial today; it is humanity."

THE prosecution case was summed up by the attorney general: "Now I told you in opening this case that the beliefs and opinions of the accused on the question of the nuclear bomb were completely irrelevant to the questions which fall for your consideration, and so are the beliefs and opinions on that topic of the witnesses for the defense. . . .

"They have sought to call evidence . . . to establish that the nuclear bomb is a very, very terrible weapon. I do not suppose that any one of us would wish to assert to the contrary. I do not. It is a most terrible weapon. The defense sought to call expert evidence on the terrible consequences of an atomic explosion. That evidence his Lordship excluded, and on my submission; because however terrible may be the consequences of an atomic explosion, that is not relevant to any question which falls for your determination. . . .

"You have heard, too, in the course of this trial something of moral and ethical questions. This is a court of law, in that questions have to be decided as to the guilt or innocence of the persons accused. It is not a court for the determination of moral or ethical questions, nor is it a court which should be used or can be used as a platform for propaganda, and I emphasize once again . . . this is not a prosecution brought on account of the views held by the accused . . . nor is it a prosecution which affects the freedom of beliefs.

"The accused and those who agree with them and hold their views are perfectly free to hold meetings, to put up candidates for Parliament, and indeed to engage in any lawful activity to promote their ends . . . and the prosecution are in no way concerned with that. This prosecution is brought because, in the submission of the prosecution, they have deliberately broken the law.

"There has been considerable com-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

plaint that others have not been prosecuted. The Crown have never suggested for one moment that the accused are the only members of the conspiracy, and you may think they must count themselves as fortunate, whether on account of age or for any other reason, they are not in the dock. . . .

"They seek, do they not, to put themselves above the law, and I ask you to consider for one moment what would happen if other bodies of persons, perhaps with very different views, adopted the same course. . . . If that happened, if they succeeded in their efforts, it would be an end, would it not, to the rule of law. It would lead to the end of democracy, to anarchy and possibly to dictatorship.

"In this country we believe, do we not, in the rule of law. In the principle that everyone in this country is subject to the law. In the rule under which we all have equal rights. And the rule of law, does it not, protects and preserves our rights and privileges, such as freedom of speech. In this country no one, whether he is a member of the Committee of 100 or not, is above the law."

Pottle had quoted the inscription in the main hall of Old Bailey: "The welfare of the people is the supreme law." On the same east wall, there is a counterpart inscription: "Right lives by law, and law subsists by power." The jury was confronted with a case in which these two definitions competed. It was cabined by the judge's ruling on law. It found it impossible to summon up the act of conscience which could transcend the equation of right and law and power.

The Twenty-Year Work Span . . *Donald B. Straus*

IN 1800, the average workweek in industrial establishments was 84 hours; in 1900, it was 60 hours; in 1925, 50 hours; in 1950, 40 hours. Today many offices work a 35-hour week; a few labor contracts have workweeks as low as 30; and a 25-hour week was recently negotiated by the Electrical Workers in New York City. In view of this consistent trend, the possibility of the 20-hour week must be taken seriously.

There is a raging debate over the causes — as well as the wisdom — of these declining work hours. Labor has demanded shorter hours without reduced pay as one way of participating in the increased productivity made possible by improved mechanization and, more recently, automation. Labor has also pressed for shorter hours as its pet solution to unemployment, an illness that has assumed chronic proportions in recent years. Unprecedented increases in both production and population (the first made possible by the physical sciences, and second by the biological) have teamed together to make job seekers more plentiful than job slots. The fear of unemployment almost matches the fear of war in many sections of our economy. Any success at world disarmament will bring, along with its hope for world survival, the threat of rising unemployment.

On the other side of the debate are those who place emphasis on our declining competitive position in world markets and the growing power of the Soviet Union. More production, not less, is the solution that appeals to this group who insist that shorter hours merely increase inflation and diminish our ability to compete abroad, with increasing unemployment the result.

To confuse matters further, the impact of unemployment is spotty. While extra crewmen are eased out of the cockpits of our airliners and locomotive cabs, hospitals, science laboratories and engineering firms are beating the academic bushes for trained personnel.

There is also a growing discrepancy between the hours of work of executive and professional persons and the people who work for them. Usually, management negotiators who resist the reduction of work hours at the bargaining table are members of the brief-case cult who take their work home with them nights and weekends. Even union negotiators are more professional than blue-collar workers—and are conscious of the fact. One union officer was overheard to say recently: "I have been putting in a 60-hour week for the last year trying to win the 30-hour week for my members."

The gap between the executive and the blue- or white-collar workweek has heightened the emotional content of the discussions over the issue. A reduction in hours of work runs counter to a basic ethic of American civilization—an ethic best voiced by early colonialists who saw before them an unlimited expanse of wilderness to conquer, an endless opportunity for improving the standard of living, and too little manpower to do either quickly. To work long hours was the mark of a godly man.

FOR the majority of Americans who have inherited the "New England conscience" in regard to work there is something immoral in the drive for the shorter workday and workweek. And yet the ethic of "sharing the work" also has a moral subsoil. It is rooted in the doctrine that one man should not prosper when his neighbor is jobless. When the standard-bearers of the "New England conscience" clash headlong with the missionaries of "share-the-work," the resulting industrial strife is often long and bitter, with serious economic consequences to both parties—and to the public as well.

The march toward shorter work hours will move at an uneven pace and will certainly be influenced by considerations of national security, both military and economic. But

DONALD B. STRAUS is a consultant on medical economics, an Adjunct Associate Professor of Administrative Medicine of the Columbia Graduate School of Public Health, and a labor arbitrator.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Leabo

halts in the trend will be temporary and should not deter us from the urgent need to plan for the *kind* of curtailment of work hours that will yield maximum benefits to the individual and to society.

We must be flexible in looking for solutions. As work hours diminish, it does not follow that the *daily* hours of work must be reduced. If it takes two hours to travel to and from work, it makes little sense to spend only five hours a day on the job. The investment in travel is too high for the return in production or job satisfaction.

We should consider all possible alternatives: shorter workweeks, longer annual vacations, staggered workweeks, or combinations of these. We might also examine a concept that is new to our civilization, but not to others: the work life. For example, the Hindu philosophers have divided life into four stages: the first twelve years are those of the student (*Brahma Chiri*); the years from twelve to around forty are the years of childbearing and worldly study (*Grha Stha*); then follows a third period (*Vana Fra Stha*), for studying the techniques of achieving a release from life; and finally a period of the holy man, or yogi (*Sann Yasi*), when the individual becomes an anonymous person, completely released from this world's affairs.

These Hindu divisions are not designed for modern life in the Western world, but the principle embodied in them may be worth a second look. The Hindu's first stage is applicable to the West; only, in our case, its duration is much longer. Our educational process generally absorbs the first eighteen years of our lives; and, in our higher reaches of learning, the first thirty years. Then follows, for us as for the Hindus, a second stage, devoted to creating the necessities and luxuries that make up our standard of living, and to the rearing and support of children.

But in our civilization, there are no further stages that command a place of dignity in our scheme of things. When the years of work are up, the individual is retired and he enters a period of life that, more often than not, is bleak and frightening.

INSTEAD of taking our leisure dividends, made possible by modern technology, in the form of daily or weekly blocks of time, why not continue to work a comfortable schedule of 40 hours a week, but for a shorter span of years? Why the 20-hour workweek? Why not the 20-year work life?

During this period, "take home" pay must be sufficient to maintain the out-of-pocket costs of a decent standard of living; the excess would go into a retirement fund. As the related factors of productivity and excess manpower increase, the number of work hours for which cash payments are made would decrease and the hours for which contributions toward the retirement fund are made would increase. Nor is this a one-way sliding scale: the proportions could be adjusted either way to meet short-run changes in the ratio of manpower to job opportunity. As cash hours are reduced, the age of retirement would decrease, removing surplus manpower from production at the end of the work life rather than distributing available work among the more vigorous age groups. When collective bargaining results in a 20-hour workweek, the 40-hour schedule would be retained, but with 20 hours paid in cash and 20 hours put into the retirement fund. Retirement under these conditions would start afetr 20 years of work. For 30-hour-workweek conditions, the division between cash and retirement payments would be 30-10 instead of 20-20, with a correspondingly later retirement age.

There remains, of course, the question of what to do after retirement. Here the specifics of the Hindu pattern have little to offer for our civilization. Perhaps we might term the third stage the "years of honorable leisure." Retirement benefits earned during the years we worked 40 hours a week could come from the excess hours of "overtime" worked each week. Some individuals might choose to do almost nothing upon entering this stage. Most, however, would prefer to continue productive life if they could employ their experience and energy at part-time jobs that offered both a challenge and the prestige becoming to an elder citizen. Possibilities include posts as educational or hospital assistants, in such increasing activities of government as the conservation of natural resources, or in community cultural and civic activities. The business of leisure itself requires jobs well suited to those in this stage of life. Nearly fifty colleges are now training recreation leaders to administer recreation programs. Early retirement could permit a person to make a second career in such work.

An individual might also be given the option of holding his present job (providing unemployment was not a factor), until reaching some later compulsory retirement age, or of entering the "years of honorable leisure" at any time after he has spent 20 years at work. The workweek, however, for anyone with 20 years' seniority under this plan would be cut to 20 hours. His cash take-home pay would remain the same, but no more money need be put aside for his retirement fund.

This method of distributing leisure is not applicable to all jobs (for example, it wouldn't work or be acceptable to most executives or members of professions); nor will it work in all industries. Its application would also require the solution of many problems not considered here.

The point is not to urge this plan as a panacea, but rather to stimulate consideration of alternatives to the shorter workweek when looking for ways to distribute the troublesome bonanza of increasing leisure.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Paradoxes of Taxation . . *by Peter L. Bernstein*

NOBODY likes to pay taxes. In a way, this is curious, because most of us want, many of us enjoy, and few of us would discard the things that our tax dollar buys. We take pride, and sometimes more pleasure than we should, in being a mighty military nation. We want schools, roads, police protection, public parks and hospitals. Indeed, we are persistent and vocal in our complaints if these services are not provided to our complete satisfaction. Meanwhile, most of us do everything we can to pay as little tax as possible (including a large amount of ingeniously rationalized cheating)—and even then, the grumbling about the government's immoral taxing powers is a national pastime.

The reasons for this schizophrenic attitude about the public purse are readily apparent. Generally speaking, we have little or no choice about paying taxes, while we at least have an option to say no to any simple expenditure for a private purpose. Then, after the taxes have been paid, we have no direct say in where and how the money will be spent: we can choose freely between a mammoth automobile and a sports car for ourselves, but we have little influence on the community's choice between a new fire engine or a bus—or not buying either. Finally, most of the things we buy with our after-tax dollars are for our own use and enjoyment; most of the things our tax dollars buy we use or enjoy only as a member of the community, in the company of thousands or millions of fellow citizens (many of whom we would just as happily have nothing to do with).

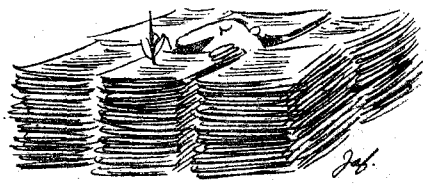
Therefore, even though our tax money does go to provide things that we need and want, the business of minimizing taxes has become as vital an economic incentive as the classical economic motive of maximizing profit: each of us tries to shift as much of the tax burden as possible to the other fellow. We might be embarrassed to ask our neighbor to share the cost of our new automobile or washing machine, but we apparently have little hesitation in trying to increase his share of the cost of the local garbage collector's salary.

As a matter of fact, the resistance to paying higher taxes is so strong and automatic that we seldom stop to think objectively about what is really involved. A simple illustration will suffice. If I buy more food for the family to eat—say, an extra quart of ice cream or a larger turkey at Thanksgiving—I pay out more money at the supermarket, but it does not occur to me that my *cost* of living has risen: I have voluntarily increased my family's *standard* of living. Yet if my taxes go up in order to pay for better roads or more police protection, I grumble about the rising cost of government and the crushing burden of taxation, without taking into consideration that my public standard of living has also been improved. I will allow the butcher and the candy store to sell me more, but I will deny the politicians the opportunity to improve the quality or size of public services.

THERE is little doubt that we shall all be paying substantially larger taxes in 1970 than we were paying in 1960 whether we like it or not. This will happen in any case as our incomes rise in step with economic growth. It may happen through changes in the tax structure. It may, in fact, develop through an increase in tax rates. But the important aspect of the matter is that the growth in government revenues is not necessarily the same thing as an increase in the tax burden we shall have to carry. In 1960, our take-home pay was $354 billion out of total personal incomes of $404 billion; if, by 1970, personal incomes have risen, to, say, $600 billion (this would be consistent with a 1970 GNP of $750 million), the government could take as much as $200 billion away from us in personal income taxes—a rise in the effective income tax rate from 12 per cent to about 30 per cent—and still leave us the same disposable income that we had in 1960.

Of course, the odds are very small that our tax payments would increase fourfold in ten years. Yet it is important to realize that the community can carry a higher level of government activities as long as our incomes are growing. And, let us remember, our incomes may fail to grow as rapidly as they might *unless* we have an increase in government spending.

Our tax bite is nevertheless likely to increase even if tax rates are left just as they are. This is the natural result of a progressive income-tax structure in which each increment of income is taxed



at a higher rate than the previous one. We pay 20 per cent federal tax on the first $2,000 of taxable income, for example, but we pay 22 per cent on the next $2,000, and these rates step up to as high as 91 per cent on all taxable income in excess of $200,000. Furthermore, as our communities are improved and extended, property values improve and property taxes therefore go up, too.

Recent studies indicate that the tax rates prevailing during 1961 work out so that each rise of 1 per cent in national income should be associated with a rise of at least 1.4 per cent in income and property taxes. Corporate income taxes move roughly in step with national income, while excise taxes lag slightly behind (probably because we spend a larger share of income on services as we grow more affluent). Over-all, we should expect a rise of 1 per cent in gross national product to be associated with an increase of at least 1.2 per cent in total government receipts.

LARGE amounts of high incomes must be escaping the steep tax rates to which they are theoretically subject. This is achieved through devices such as tax-exempt bonds, family trusts, stock options, expense accounts, and use of the personal-interest deduction; in addition to such perfectly legitimate arrangements, other less savory techniques are also being employed to an increasing extent.

And then there is the conversion of regular income into capital gains, where the effective tax rate is at least half and frequently less than half the regular rate. According to Treasury data, capital gains account for only 1½ to 2 per cent of total incomes below $15,000, but this percentage rises to almost 42 per cent in the million dollars and over class.

As a result, only about 30 per cent of total federal income-tax payments come in on the brackets in excess of $2,000 or 20 per cent, and only 15 per cent on the brackets in excess of $4,000. This is a highly inflammatory statistic. It means that 85 per cent of total federal income-tax revenues is earned on taxable incomes of under $4,000, although sub-

---

PETER L. BERNSTEIN, an investment counselor, lectures on economics at the New School for Social Research in New York City. This article is adapted from Price of Prosperity, *to be published next month by Doubleday and Co.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

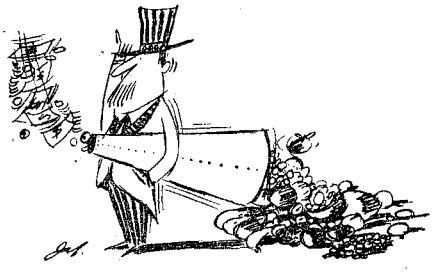
stantial amounts of personal income are received at higher levels than that.*

Many people have the impression that the tax rates on upper incomes are so high that the spread between large and small incomes has been significantly diminished. The steep tax rates are supposed to skim off a large proportion of upper incomes. After all, the married couple with a taxable income of $4,000 will pay only 20 per cent, or $800, in federal income tax, while the married couple with a taxable income of $20,000 will pay $5,280, or 27.6 per cent, in taxes, and a couple with a taxable income of $52,000 will pay $21,480, or 43.4 per cent, in income taxes. But it is amazing to note that in 1959 the top 20 per cent of the income receivers took in 45.7 per cent of total personal incomes before taxes and that they still had 43.8 per cent of total personal incomes after taxes: the share of this highest group was hardly cut down at all as a result of the higher tax rates to which they were theoretically subject. The top 40 per cent of the income receivers took in 68.4 per cent of total personal incomes before taxes and still had 66.9 per cent of total personal incomes after taxes. Thus, because of the isolation of substantial amounts of high incomes from the tax bite, it is hardly efficient for equalization of incomes.

THESE data show that large amounts of high incomes escape the income-tax net and accrue to their owners on a tax-free basis. This is frequently used as an argument to reduce the rates on high incomes, since they bring so little revenue in the first place. For example, the Committee for Economic Development, an effective and broad-minded group of businessmen, has argued that:

> . . . Very little of the total yield of the individual income-tax comes from the rates above the minimum rate of 20 per cent in the first bracket. . . . The rates in excess of 20 per cent account for less than one-seventh of the total yield of the individual income-tax. . . . The tax rates in excess of 50 per cent produce only 2 per cent of total individual income-tax revenues. But they do great damage to the rest of the tax system and to the economy. Only advocates of the most extreme wealth and income redistribution deny that rates reaching as high as 91 per cent on personal incomes are harmful.

But how can they be harmful when such a large proportion of high incomes are never actually subject to them? And what is the point in reducing rates on areas of the income span that now escape taxation in the first place? If the man with a $12,000 income only pays tax on



$5,600, can he possibly care whether the rates on the next $6,400 of income are lowered? Even if the rates on this increment were cut in half, he would attempt to avoid them just as long as they remained above zero.

On the contrary, we can see how unprogressive our tax structure really is and what a small share of rising incomes is likely to find its way into the coffers of the federal treasury. This is more than a matter of social justice or advocacy of "extreme wealth and income redistribution." One's position on progressive tax rates is really dependent, not on social questions, but on the assumptions of economic analysis on which a view of the future is constructed.

OF COURSE, while many people have come around to the idea that higher levels of government *spending* may promote economic growth, they are certainly reluctant to accept the proposition that higher levels of *taxation* can have any result except to stifle growth. It is generally believed that the best way to stimulate progress is to cut taxes, not increase them.

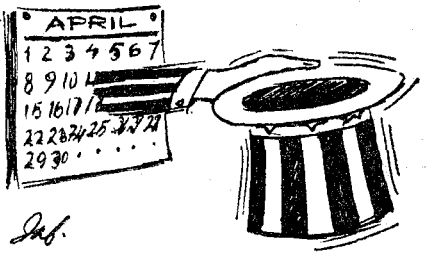
I do not take issue with this highly respectable and hallowed concept, but rather with the assumptions that are implicit in it. If the assumptions are valid, then of course the conclusion must follow. But I doubt whether the assumptions can hold up.

First of all, this position assumes that lower taxes would unleash a great wave of spending by consumers and businessmen. But for economic growth to be accelerated, the increased spending by the private sector must be *greater* than the volume of government spending that would have to be cut out because of the reduction in tax revenues. If the rise in private spending is smaller than the cut in government outlays, income and employment would decline. If the rise in private spending is equal to the cut in government outlays, there is simply a shift in the flow of output away from the public sector and toward the private sector. For the tax reduction to promote economic growth, consumers and businessmen must spend *all of their tax savings and more besides.*

Certainly no one actually knows what would happen if we cut taxes as incomes rise. But the effect would have to be highly favorable in order to provide us with full employment during the coming years when the labor force will be increasing so rapidly.

For example, let us suppose that gross national product rises from $503 billion in 1960 to $750 billion in 1970. Let us also assume that we decide to reduce taxes as our incomes rise, so that the share of gross national product that government can purchase will tend to decline (although it may rise in absolute figures). If government's share is cut from its current level of around 20 per cent to a lower figure of 15 per cent in 1970, government purchases of goods and services in 1970 would be about $112 billion, compared with $100 billion in 1960. By the same token, however, if the total demand for goods and services is to reach $750 billion, purchases by consumers and businessmen would have to rise from $403 billion in 1960 to $638 billion in 1970—an increase of 60 per cent or 4.8 per cent a year.

Such a rate of growth in demand



would be most unlikely without some currently unexpected stimulus appearing upon the scene. Note that this 4.8 per cent annual rate of increase required of the private sector is even larger than the 4.7 per cent needed if we assume a 1970 GNP of $800 billion of which government would take 20 per cent, not 15 per cent. This means that private demands will have to be exceptionally strong, especially as personal incomes and profits will be lower with a GNP of $750 billion than they would be if GNP

*This is not meant to imply that 85 per cent of total federal income-tax revenues is paid by taxpayers with incomes of less than $4,000. It does mean that the elimination of taxes on all incomes in excess of $4,000—this is, for example, taxing the lucky man with a $1,000,000 income only on the first $4,000 of his taxable earnings—would reduce the total federal personal income-tax take by only 15 per cent.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

reached $800 billion. The pressure for higher living standards among consumers or for radical technological change among businessmen shows no evidence of being that intense.

Where the desire for a better way of life is strongest—that is, where the largest proportion of an increase in income is likely to be spent for goods and services—namely, among the lowest-income groups, the effect of tax reductions would be virtually meaningless. Families with incomes below $4,000 pay less than 5 per cent of their gross incomes in federal income taxes; state income taxes are negligible; the burden of excise taxes must also be minimal as most of their expenditures are devoted to necessities. As their total federal income tax payments amount to only about $2 billion, complete elimination of their income taxes would hardly start a major prosperity on its way.

There is of course the possibility that a reduction of corporate income tax rates might be stimulating, if the cut in taxes were passed on in lower prices. This would be particularly the case on goods of a luxury or semi-luxury nature or where foreign competition has been eating into domestic markets.

BUT the possibilities should not be exaggerated either. A 50 per cent cut in corporate income taxes would reduce the tax rate on large corporations from 52 to 26 per cent—which sounds like a lot. However, most companies have a pre-tax profit margin of little more than 10 per cent on their sales. This means that the 50 per cent reduction in corporate income tax rates would permit a price cut of no more than 5 per cent—which sounds like very little. How much would it stimulate additional sales if men's shirts were cut from $5 to $4.75 or if automobiles were priced at $2,850 instead of $3,000?

This position also misses another and probably more important objection. Is there any reason to believe that corporations would reduce their prices if their tax burden were lightened? On the contrary, prices went up in 1945 and 1946 despite a sharp cut in corporate income taxes; the same thing happened after 1953 when the Korean War excess profits tax was taken off. The point is that businessmen charge—quite rightly—precisely what the market will bear. Prices are reduced only if goods are not selling at current price levels. If people will continue to pay $5 for shirts and $3,000 for cars, changes in corporate income taxes will be irrelevant to the price-setting decisions of businessmen.

Perhaps the strongest — or, at any rate, the most trumpeted—argument in favor of tax reductions is that they would enhance incentives, while rising taxes are supposed to blunt incentives.

Yet, although no one actually enjoys paying taxes, the history of the postwar period provides little evidence that economic incentives have been sapped. Even though tax rates were much higher than they had been in the prewar days, and especially in the pre-New Deal days, economic growth from 1947 to 1957 was more rapid than it was during the 1920s; it has clearly been more stable. Gross private domestic investment in particular has maintained a historically high average level despite frequent predictions of its demise. A traveler passing through the United States could not help being struck by the fantastic number of shining new factories, office buildings and homes in every city he visited. The flow of new ideas, new products and new technologies in the 1940s and the 1950s was as great as in any period of our history.

Furthermore, despite the grumbling, can we find any reliable signs that individuals are using high taxes as an excuse for laziness?

Corporate executives in the highest tax brackets seem to be working as many Saturdays, Sundays and evenings as ever. Columns like "Personal Business" in *Business Week*, which discuss the living habits of these executives, give the impression that they work too hard and play too little. Stomach ulcers and heart attacks have apparently not been made obsolete by high taxes that persuade people to take life easy.

Indeed, the main complaint about inadequate incentive (or, to put it less graciously, a strong distaste for hard work) has been directed toward the wage and salary workers with incomes at $7,500 a year and less. Widespread annoyance has developed, especially toward service workers, now that the "working class," liberated from the hot breath of poverty and the nightmare of unemployment, is less inclined to jump at the master's whip. But to the extent that this is true (or undesirable), it would be difficult to pin the blame on the tax structure, for it was higher real incomes and employment security, not heavy taxes, that have made for less frenzied work habits.

Higher taxes reduce take-home pay. A progressive tax structure makes each increment of net income increasingly difficult to achieve. If people want to get ahead in the world—and the presumption is that lower-income workers have more incentive to move up the line than have upper-income employees—there is at least as good a chance that high taxes will make people work harder as that they will lead people to exhibit a notably larger degree of laziness. It is the schoolteacher and the fireman who engage in moonlighting, not the vice president of the billion-dollar corporation, which thus suggests that people with small incomes still have the desire—or need—for larger ones.

In this connection, a foreign comparison is relevant. In the postwar era, West Germany has been held up as a model of free enterprise, as an outstanding example of the application of conservative fiscal and monetary policies, and as an unquestioned leader down the pathways to economic growth. Yet West Germans pay more of their gross national product to the government in the form of direct and indirect taxes than we do. In addition to West Germany, the tax load in Austria, Finland, Norway, France, Sweden, Luxemburg, Britain, the Netherlands and Italy is higher than in the United States (and in that order). It is worth noting that all of these countries showed a faster rate of growth during the 1950s than we did.

One explanation, perhaps, is that high taxes may actually stimulate economic activity by making the government a partner in losses and expenses as well as in profits and income. Risk-taking is encouraged as a result. The United States Government in effect subsidizes 50 cents out of every dollar that business firms spend on the research and development from which so much of our growth is supposed to come. The risk of taking on additional employees, extra overhead, more services and expanded advertising has been reduced because a substantial part of the money paid out for these purposes would have gone to the government in taxes in any case. An entire new world of luxury eating and entertainment has emerged from government-subsidized expense accounts that have given many corporate employees an opulent way of life they never could or would have paid for out of their own earnings. These facts give us good reason to ask whether a lower level of tax rates would really increase risk-taking proclivities. Or would it instead induce a wave of penny-pinching and cost-cutting that would in fact intensify the problem of achieving full employment in the years to come?

In short, we have little or no evidence that our present tax structure is an impediment to economic growth.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BOOKS and the ARTS

The Cold War of Education

WHAT IVAN KNOWS THAT JOHNNY DOESN'T. By Arthur S. Trace, Jr. Random House. 211 pp. $3.95.

Urie Bronfenbrenner

THIS book presents some old wine in new bottles, and not a very good vintage at that. The label is an eye-catcher, both in place and time: Soviet Russia, 1958. But a sampling of the contents reveals an all-too-familiar *vin ordinaire,* because what so pleases Professor Trace about Soviet schools is really the traditional European curriculum with its heavy emphasis on phonics, classics and memorization. Indeed, in his last chapter the author admits as much:

> With but few exceptions, the curriculum of the Soviet schools and the curriculum of the schools in any Western European country are virtually indistinguishable . . . the point at issue is not simply the difference between Soviet education and American education but between American education and European education in general.

In short, we deal here with a time-worn controversy under a more timely rubric, and though presented in a new setting, the author's arguments are almost as traditional as the curriculum he advocates. Under the circumstances, it seems but fair, in summarizing his arguments, to present them in their modern dress. Here are his major theses:

1. Despite starting school one year later, Soviet children learn to read sooner and better than their American age-mates because they are taught by the phonics method with textbooks having far richer vocabularies (for example, 2,000 words in the Soviet first-grade readers vs. 300 to 400 in our own).

2. Whereas Soviet textbooks are replete with useful scientific and historical information, object lessons in morality and patriotism, and numerous selections from fine literature, American readers "are to an excruciating degree insipid, trivial, inane, pointless, and otherwise devoid of either pleasure or profit."

3. Beginning with the fifth grade, Soviet pupils are given systematic exposure to Russian literature, both classic and modern. Analogous exposure does not occur in American schools until the senior year in high school. Below that level, American textbooks rely heavily on second-rate contemporary authors and eschew good literature.

4. Russian children do much more reading, both assigned and voluntary, than their American age-mates. For example, in the sixth grade, Soviet pupils are required to read thirty books a year and, in addition, read an average of 100 more on their own. "It is highly doubtful that this program of outside reading can be matched in any sixth-grade class anywhere in the United States."

5. ". . . whereas only 25 per cent of American high school students study a foreign language and 90 per cent of these do so for only two years, *all* Soviet students study a foreign language, and in the regular ten-year schools, they study it continuously for six years. . . ."

6. Soviet students begin the systematic study of history and geography in the third grade and continue through the ninth grade. In contrast, instruction of these subjects in American schools is spotty and disorganized. In place of specific courses, pupils are offered "social studies" which provides for the study of a great many things that have nothing to do with history.

FROM the point of view of an American psychologist with some first-hand familiarity with schools and school children, both in Russia and the United States, there is certainly much to learn from a study of Soviet educational methods and much to be criticized in our own. But, unfortunately, there is far less to learn, and far more to criticize, in Professor Trace's book. Most seriously, he has regrettably yielded to the temptation — besetting all who deal with the highly charged subject of Russia — of depicting matters as black or white and disregarding discrepancies. There was a time only a few years ago when the Russians were seen as uncultured barbarians; now, all at once, they are super-intellectuals, ahead of us not only in science but, as Professor Trace would have it, in the humanities as well. So strongly does he feel about the matter that he does not hesitate to bolster his argument with deceptive statistics, such as his statement, technically true, that in 1910, 84 per cent of American high school students were studying a foreign language, whereas only 25 per cent are studying one now. Dr. Trace underscores these "unhappy facts" without reminding the reader that the number of high school graduates has grown more than tenfold during this period.

It is unfortunate, too, that Professor Trace does not know America's and Russia's schools as well as he knows their schoolbooks. If he did, he would recognize what a dull place a Soviet classroom is with its incessant dictation and recitation. Dr. Trace decries the "strong tendency in this country to measure the quality of a school by examining the *conditions* under which children learn rather than examining *what* they learn." But clearly there are pitfalls at the opposite extreme, and Professor Trace has stumbled into several. One is his ignorance of the manner in which reading is actually taught in American schools. He is completely incorrect, for example, in his assumption that exclusive reliance is placed on word recognition, with no instruction being given in phonics. The most commonly employed methods of teaching reading involve a combination of oral and visual techniques that focus on the building of vocabulary, the use of contextual cues, grammatical structure, phonics and word recognition. Nor does he seem to be aware that an extensive body of research on the phonic method calls attention to its serious shortcomings as a primary approach to reading instruction.

Professor Trace views as crucial the advantage presumably possessed by the Soviet pupil in being exposed to a far greater vocabulary in his basic readers through the early grades. Here again the author betrays his ignorance of educational practice both in the USSR and, more notably, in the United States. He assumes that teachers in both countries use only a single basic reader. This is often true for the Soviet situation but not for our own. Typically, the American teacher not only employs half a dozen readers with different vocabularies, but in addition draws heavily on an excellent variety of children's books available on her shelves. A recent survey

URIE BRONFENBRENNER is a professor in the Department of Child Development and Family Relationships, Cornell University. He is co-author of Talent and Society. *(Van Nostrand) and has traveled in the Soviet Union twice in the last two years.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

showed that the average classroom in the primary grades now contains eighty to 100 books, this number being doubled in classes at the intermediate level. The basic reader is but one tool available to the American teacher. Its purpose is to assist the child in developing certain of the complex skills involved in the reading process without interference from other problems, such as those of vocabulary. Once these skills are learned, they are immediately applied in reading books for their own sake.

BUT the weaknesses in Professor Trace's arguments do not remove the weaknesses that do exist in American educational practice and product. One cannot deny, for example, that many children's readers are unnecessarily inane and that this fact in all likelihood helps discourage children from reading further on their own. Moreover, one has only to wander about Soviet parks and public places to realize that Soviet children, and even more dramatically, Soviet adults, read more—and with far greater avidity—than their American counterparts. But to give the Soviet school all the credit for this phenomenon — and our own schools the blame for its absence — is to overlook the fundamental importance of the larger culture in the educational process. It is precisely here, if anywhere, that the Soviet system deserves its due. The Soviet Government, through all its educational and propaganda agencies, has for years been emphasizing to the Russian people, parents and children alike, the importance of education, reading, literature, languages and cultural endeavor. What is more significant, the Soviet authorities have recognized the importance of the group in influencing the values of individuals and have developed an impressive technology for encouraging group consensus on values and action. It is this use of the collective, to take the Russians' own term, which dramatically distinguishes their methods of education from those of America *and* of Western Europe. "What Ivan knows that Johnny doesn't" in all likelihood has more to do with this "condition" under which Ivan learns, than with the somewhat turgid textbooks that he carries in his satchel.

Death of a Surgeon

THE DISMISSAL: The Last Days of Ferdinand Sauerbruch. By Jürgen Thorwald. Translated from the German by Richard and Clara Winston. Pantheon Books. 256 pp. $5.50.

Carl Dreher

THE MEDICINE MAN or physician is society's defender against somatic death. He is always defeated in the end, but his temporary successes lend him a special status. The surgeon plays this role in its most dramatic form and hence enjoys a repute much like that of a soldier. There is a real identity underlying the obvious differences. Surgeon and soldier alike must maintain composure, coordination and sharp observation under conditions of tension and peril. The fact that during an operation the surgeon himself is not in danger does not alter the basic situation. Death hovers over both the operating room and the battlefield.

The Dismissal is not an account of a great surgeon's victories over death. It is the story of his own decline and death. If Ferdinand Sauerbruch had been a stock broker or an engineer, it might have been only a minor recital of the frustrations of forced retirement. But when a surgeon does not know when to quit, appalling dilemmas and tragedies arise. In this instance the agonies inherent in the situation were aggravated by the stresses of the cold war. The actors in the drama were East and West Germans and an incidental value of the book is that it supplies a realistic picture of a professional group pursuing its activities in a divided city.

Sauerbruch was born in 1875. In 1904, a twenty-seven-year-old assistant in the surgical clinic of the University of Breslau, he read a sensational paper at the 33rd Congress of the German Society for Surgery. It had been accepted for centuries that thoracic operations were impossible. The lungs operate through inflation by atmospheric pressure. If the chest were opened and the pressure equalized, how could the patient breathe? Sauerbruch's solution was to enclose the patient in a low-pressure chamber; when the chest was opened there would still be differential pressure between the outside and the inside of the lung.

Sauerbruch was responsible for several other innovations. He seems to have antedated a good deal of modern surgery. His genius was recognized. By 1910 he was professor of surgery at Zurich. In 1918 he held the same position in Munich. In 1927 he was called to the post of chief of the surgical clinic in the famous old Charité Hospital in what is now East Berlin. There, beginning in 1946, the catastrophe unfolds itself.

Although much of the book reads like a novel, it is a factual biography and suspense will not be lessened if one already knows the plot. The importance of *The Dismissal* is not only in its serious entertainment value—although that is considerable—but in the fact that it forces the reader to face and ponder the psychopathology of illness and death, the unresolved antagonism-fellowship relation of doctor and patient, the persistence of legend and superstition in lay evaluations of physicians, and many another Gordian knot of his own life and the lives of all of us.

SAUERBRUCH was on good terms with the Nazis before and during World War II. He accepted the honorary title of Prussian State Councilor from Goering in 1934 and a national prize for medicine (100,000 marks, shared with Prof. August Bier) from Goebbels in 1937. He was a brigadier general in the German Army during the war and received a decoration. After the war he appealed to General Lucius Clay for clemency for Hitler's former doctor, Brandt, who was condemned to death at Nuremberg for carrying out medical experiments on inmates of concentration camps. There were other instances of fellow-traveling with the Nazis, but Sauerbruch had not been a party member. Called before a West Berlin denazification tribunal in 1949, he was defiant, made scenes and finally walked out on the hearing. He was nevertheless acquitted.

The fact that Sauerbruch enjoyed good relations with the Communists after the German defeat lends credibility to the explanation that he was apolitical, interested only in medicine and dedicated solely to saving the lives of his patients. When the Russians fought their way into Berlin in May, 1945, the Charité was half in ruins, but Sauerbruch was operating in the portion which remained more or less intact. The Surgeon General of the Red Army, Professor Viesnevski, called on Sauerbruch, whom he lauded as his "teacher and master." Sauerbruch, who had been living with his wife in the air-raid shelter of the hospital, was moved back to his big house in Grunewald and a sign was posted in Russian: "The great doctor

CARL DREHER is a frequent contributor to The Nation.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Sauerbruch lives here." General Kotikov provided him with a car — an old Opel, but few Germans were allowed any kind of automobile in this period of obloquy and reprisal. The Charité was rebuilt and surgery remained Sauerbruch's exclusive domain. He was chauffeured back and forth between the East and West sectors; there was no such thing as a divided Berlin as far as he was concerned. He was a great asset to the Soviet command and later to the German Democratic Republic, and he was treated accordingly.

BUT they had bought damaged goods. Seventy-one years old in 1946, the great man was afflicted with cerebral sclerosis —senile degeneration of the blood vessels of the brain. He had always been a medical martinet and his rudeness and outbursts were scarcely worse than before, his lapses of memory also could have been overlooked, and he insisted on continuing to operate. But now, instead of saving patients, he was killing them. He operated on a prominent Soviet Zone actor for a simple hernia and damaged the femoral artery; the patient died of postoperative hemorrhage. In another case, after extirpating a spleen, Sauerbruch dropped the organ, severing the blood vessels and killing the patient. During a lung operation he reached out with his sterile hand, tipped a lamp to a better angle and resumed operating. When an assistant tried to stop him, Sauerbruch was furious and denied he had touched the lamp, but there was blood on it. Later Sauerbruch attacked this assistant with his fists.

Finally, after more bizarre incidents, the East German authorities asked Sauerbruch to retire. He complied reluctantly in December, 1949. He was offered a special pension and allowances so that he could live in economic security and devote himself to writing his memoirs or working on scientific projects of his own. But there was a catch in this generosity—Sauerbruch was to make East Berlin the scene of his retirement. He refused curtly. He did not need or want charity, he said. There were plenty of surgical clinics only waiting for him to take charge.

He was not wrong. The chief physician of a small private clinic in West Berlin, Dr. Julius Jungbluth, referred to by Thorwald as a "self-styled Professor," offered Sauerbruch the facilities of his establishment. Although Sauerbruch's family and friends and a good many members of the medical communities of both East and West Berlin were by this time thoroughly aware of Sauerbruch's condition, no one interfered. Early in 1950, then, another grotesque incident took place. Jungbluth was removing a kidney with Sauerbruch as his assistant and Movietone News taking pictures of the operation. Impatient with Jungbluth's procedure, Sauerbruch hurled an instrument to the floor and left the room. The association was not immediately terminated, but Jungbluth saw to it that no beds were available thenceforth for Sauerbruch's patients.

Thereupon, in the summer of 1950, Sauerbruch took to operating in his own home, under conditions in which asepsis was impossible. Soon a patient came down with a postoperative infection. The doctor who was called filed a report with the Board of Health. The West Berlin authorities were as cautious as those of East Berlin had been. All they did was to send a letter to Sauerbruch's wife (who was herself a physician), warning her not to allow her husband to practice surgery. Sauerbruch paid no attention to the notice, nor to a later warning from the Board addressed directly to him.

Legally he was now in the position of an abortionist, but this did not stop him. One of his last operations was for the removal of a metastasized cancer from the throat of a forty-one-year-old woman, under ineffective local anesthesia. The patient suffered excruciatingly, but survived for six months. After this episode the Board of Health issued a third warning, which was ignored like the earlier ones. At this point, however, a higher power intervened. Sauerbruch suffered a stroke and died, on July 2, 1951.

THORWALD tells his story effectively but, in the American edition at least, I feel he goes to excessive lengths to plaster the East German regime. There is no doubt that they regarded Sauerbruch as a political asset and treasured him accordingly. But the book begins with a quotation which I find exceedingly suspicious. Dr. Joseph Naas is quoted as saying: "In the coming struggle of the proletariat, in the clash between socialism and capitalism, millions will lose their lives. In the face of this fact it is a trivial matter whether Sauerbruch kills a few dozen people on his operating table. We need the name of Sauerbruch."

Naas, a mathematician, was administrative director of the German Academy of Sciences in East Berlin, an old-time Communist who spent many years in Nazi concentration camps. The authority for the quotation is a neurologist, Dr. Friedrich Hall, a captain in the medical corps of the 93rd German Infantry Division who was captured by the Soviet Army in 1945. He joined the National Committee for Free Germany, was converted to communism, and returned in 1948 to become chief supervisor of medical professorships of the Ministry of Education of the German Democratic Republic. It is nowhere stated that Hall later defected. This may be known to German readers; American readers must infer it.

Thorwald relies entirely on Hall for the account of what went on in the medical and higher echelons of the German Democratic Republic when Sauerbruch became incompetent. He pictures Hall (or Hall pictures himself) as the individual solely responsible for Sauerbruch's compulsory retirement. Hall acted when Sauerbruch, after operating on a boy suffering from a gastrointestinal cancer, failed to reconnect the intestine with the stomach after removing the growths. Hall, the account continues, then appealed to Paul Wandel, the Minister for People's Education. Wandel told him: "When the higher goals of Socialist development and the transition to Socialist science are at stake, we cannot be bothered by such relics of the bourgeois mentality as 'medical ethics.'" Finally Hall over-

The first account
of the courageous story
of men and women
Negro and white
who took part in the
"non-violent" integration
struggle in Knoxville
set down by a white man who was there
MERRILL PROUDFOOT
Professor of Religion
and Philosophy,
Knoxville College
Minister of the
Presbyterian Church
DIARY OF A SIT-IN
$5.00 at all bookstores
UNIVERSITY OF NORTH CAROLINA PRESS
Chapel Hill,
North Carolina

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

came Wandel's conviction that the way to sell communism to the East Germans was to allow a senile surgeon a free hand to butcher his patients. It all sounds extremely fishy to me.

THE DISMISSAL tells the story without asking all of the obvious questions, much less answering them. Could these grotesque and lugubrious events have occurred anywhere in the West except in Germany, a land of faith and authority and, since World War I, a land under special stress? I think not. It would have been less likely in prewar Germany, and still less in pre-World War I Germany, when German medicine reached its apogee. The deterioration of German medical education is one factor, another is the exaggerated veneration the Germans have always had for their top-drawer physicians. Sauerbruch, for instance, although he said he preferred to be called Chief (Chief of Clinic) was always addressed as *Herr Geheimrat* (Mr. Privy Councilor) and habitually used the familiar (in this case contemptuous) *Du* in speaking to colleagues, who would never have dreamed of replying with anything but the formal and respectful *Sie*. When Sauerbruch arrived at the clinic (before the Nazi defeat it would be in a seven-seat Mercedes) the chauffeur would blow the horn three times, alerting the doorman, who alerted the staff. It was as if Aesculapius himself had been transformed into a German. Thus conditioned to Prussian subservience, it was impossible for his colleagues to curb Sauerbruch when the necessity arose.

The patients, of course, were even more worshipful, though with more excuse. The normal German faith in authority is naturally more pronounced in sick Germans. It was essentially faith healing. The patients, says Thorwald, "demanded Sauerbruch. They wanted to see him, wanted to hold his hand, hear his voice—that voice of the great magician who could often persuade the dying by a word, by his mere presence, that they had hope of life." When he was ousted from the Charité, they followed him to Jungbluth's clinic; when he was no longer available there, they followed him to his home. The only way to keep Sauerbruch and the sick apart would have been to commit him, or to station a twenty-four-hour guard at his home.

Then there is the doctor-patient ambivalence. Tension between a profession and its clients is universal. Error is likewise universal. Legal errors are notorious; one has only to regard the 5:4 decisions of the Supreme Court, often reversing decisions reached by learned jurists below. At the other extreme: bridge- and dam-building are arts in which safety would seem assured by the experience of centuries both in design and the strength of materials, yet even in modern times the failure of such structures, designed by leading authorities, is not unknown. It is no exaggeration to say that reputation in any field is based on nothing more than a lesser liability to error or, worse, by a superior ability to avoid responsibility. In medicine, the resulting tensions are excruciating. One can understand why doctors try to protect one another. In the Sauerbruch case the impulse was carried to an extreme little short of criminal negligence.

BOOKS ON JAPAN

TRANSLATED INTO ENGLISH

Osada, A.—CHILDREN OF THE A-BOMB. Compiled. First hand painful unprejudiced accounts of the children of Hiroshima. A sociological and psychological documentation. ——— 437 pp. $4.50

Joya, M.—THINGS JAPANESE. An account of the superstitions and habits that go back to historical traditions. Compares with Frazers' Golden Bough in the West. 722 pp. 7.25

MAGAZINE SUBSCRIPTIONS
in English . . . from Japan

The Japan Architect—For architects and general readers interested in Japanese Architecture, both interiors and exteriors. Sample copy $1.75, (12 issues) One yr. sub. 15.00

Tokyo Mail—Monthly, colorful, entertaining magazine. Everything pertaining to traditional and modern Japan. — Sample copy 1.25
One yr., $10; Two yrs., $19; Three yrs., 25.00

The Oriental Economist—The oldest monthly English-language magazine. Keeps you abreast of current political, economic, financial and industrial developments in Japan. ——— Sample copy 2.00
(12 issues) One year, by sea: 15.00
by air mail: 21.70

Specializing in books and other literature in English or Japanese.

Order by mail. Write for catalog N-96

JAPAN PUBLICATIONS BUREAU
Dept. 96, 156 Fifth Ave., N.Y. 18, N.Y.

Buy Your Books

through *The Nation*

Nation readers can avail themselves of our offer to send them any book (except paperbacks) at the regular retail price post-free if payment is received with the order, or at the retail price plus postage if the book is sent C.O.D. No C.O.D.'s outside the United States. When ordering, please give name and author and publisher, if possible.

Please address your orders to
THE READER'S SERVICE DIVISION
333 Sixth Ave. New York 14, N. Y.

The Poor Are Still With Us

THE OTHER AMERICA. Poverty in the United States. By Michael Harrington. The Macmillan Company. 191 pp. $4.

Harvey J. Bresler

OURS IS a prosperous society, yet poverty has become for some forty to fifty millions of its citizens a way of life, a self-perpetuating culture. This fine study of the enormous dimension of want and desperation, despite national plenty, will come as a profound shock to many readers.

John Galbraith, in his essay on poverty in *The Affluent Society*, divides it into two categories: *case* poverty, whereby qualities peculiar to the individual or his family, such as mental deficiency, poor health, unemployability, alcoholism, insufficient education, or a combination of these, tie these individuals to a grinding, sub-marginal existence; and *insular* poverty — those enclaves of depression, both industrial and agricultural, across the land, where everybody is poor.

Mr. Harrington's groupings of poverty are narrower but more inclusive. He considers separately — among others — the victims of technological change, the farm-poor, the alcoholics, the very poor among our intellectuals (yes, even the beatniks), those whom poverty has maimed psychically, and the ethnic and racial minorities of which the Negro is the tragic prototype. He discusses at length and with feeling the plight of the aged, itself a huge statistic. Perhaps sixteen millions are involved, half of whom, according to a Senate report, cannot afford decent housing, proper nutrition, adequate medical care or necessary recreation. Sixty per cent of the population over sixty-five have incomes under $1,000 a year, a quarter of them under $580. What is stark about this national scandal is that most of the aged-poor are victimized by bureaucratic routine. It is no wonder that so many acquire bitter feelings of social rejection. As the Senate committee put it, ours is a "storage-bin" philosophy: we "maintain" the aged but under conditions which rob them of all dignity. What this does to them psychologically and emotionally is common knowledge

HARVEY J. BRESLER teaches at Wilkes College (Wilkes-Barre, Pa.).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to every social worker and, we suspect, even to many fellow Americans, despite our proclivity for kicking such truths under the rug or salving consciences through the use of dignifying euphemisms like "Senior Citizens."

Perhaps the greatest social outrage in contemporary America is our failure to take more than minimal steps to overcome still another statistic: 30 per cent of our families are living in substandard homes. The urban slum of today is a new type of slum. Whereas in the days of free immigration we had the ethnic slum where our newly arrived citizens had a culture of aspiration that gave vitality to the tenement blocks, today's slums contain the "internal migrants, the Negroes, the poor whites from the farms, the Puerto Ricans. They join the failures from the old ethnic culture and form an entirely different kind of neighborhood." The slums of this new culture are rooted in hopelessness.

THE AUTHOR has thoroughly studied his source material; his statistics are grimly impressive and his scholarship is sound. What about his proposed remedies? Certainly they recognize that the dimensions of the problem are so great that only the federal government can afford to tackle them. One competent witness estimated that to eliminate just one of these maladies—the city slum—would cost $125 billion. But, as Mr. Harrington points out, our present cost of policing the social misery generated by poverty, of preventing poverty from exploding into something worse (as if there were anything worse!), already mounts higher than we realize. Of course America can afford it—how much does it cost to put one Titan spaceship into orbit?

This book contains sober proposals for tackling some of the other components of poverty in this country. These square well with the thinking of men like Galbraith, one of the intellectual stewards of the New Frontier. They also accord with certain aspects of the legislative program of the Administration, a program unfortunately now being fought down the line by the politically crass.

Is there any real hope that we can abolish poverty in America? Not without something to galvanize the conscience of our too-affluent society. This implies a moral reappraisal which is hard to envisage in the foreseeable future. It also would require prophetic leadership and, alas, there seems to be no Jeremiah or Gandhi around.

MUSIC

Benjamin Boretz

I HAVE spoken of the considerable extent of the performer's responsibilities for understanding and interpreting works that approach formal perfection. But these responsibilities are perhaps even greater when the work involved is an important classic of the musical literature that nevertheless reveals serious flaws in composition.

Schubert evidently composed his Ninth Symphony out of a determination to reach toward a large-scale dramatic structure like those he admired in the "heroic" works of Beethoven. This intention is clear from the very length of the symphony and the breadth of its gestures, as well as from the careful way with which all the materials are derived from a single germinal source: the soft horn melody at the opening. But despite the magnitude of the intention and the considerable impressiveness of many ideas, the Schubert Ninth remains a masterpiece *manqué*, a curiously incomplete sketch for a "big" work rather than the realization.

Within the large proportions that appear to have been preordained, much of the development seems merely to fill the requisite time, as though it had been roughed in for later intensification and internal expansion. During whole sections, especially in the outer movements, figurations, melodic patterns and instrumental dispositions are simply reiterated on different tonal levels, without contrapuntal or rhythmic development. In fact, the rhythmic motion in the large appears to consist mainly of phrases of equal length; this after a while has the effect of a long poem in doggerel. I find myself involuntarily counting measures during a performance, in grim anticipation of the inevitable fours and sixes. As a result, the arrivals at climactic points tend to be forced and surprisingly bombastic for Schubert.

These weaknesses in continuity are particularly manifest at transitional points; some of these are so perfunctory that successive sections just sit side by side, unconnected despite their common derivation. When a work of such large proportions breaks down into so many individual sections, its focus becomes unclear, and the listener cannot maintain the kind of concentration that is required to assimilate relationships that unfold over long stretches of time. One has only to compare this Schubert symphony with

Now available

SANITY

A Magazine Devoted to Peace and Disarmament

Spring 1962, Vol. I, No. 2

This issue features a critical analysis of the peace movement. Contents include:

Prospects for Disarmament: 1962 by **J. P. Morray**

Washington Project: An Appraisal by **Richard Roberts**

Unity in the Peace Movement by **Donald Bluestone**

Also documents on disarmament and book section.

SANITY Magazine offers critical discussion of all questions bearing upon peace, with special emphasis upon the forces within our society opposing disarmament.

One Year subscription (4 issues) $1
Single copy — 35c

All subscriptions and orders should be sent to

SANITY
P.O. Box 2015, Madison 5, Wisconsin

Authors!

Your book can be published, promoted, distributed by successful, reliable company. Fiction, non-fiction, poetry, scholarly, religious and even controversial manuscripts welcomed. Free Editorial Report. For Free Booklet write Vantage Press, Dept. 103, 120 W. 31 St., New York 1.

INVEST $1.00
AND SAVE ON SHELTERS
THE SHELTER HOAX AND FOREIGN POLICY

CARL MARZANI, *The Shelter Hoax* • FIELD MARSHAL MONTGOMERY, *East-West Relations* • PROF. FRED WARNER NEAL, *U.S. Foreign Policy and The Soviet Union* • PROF. LEO SZILARD, *For a Peace Lobby*

MARZANI AND MUNSELL, Publishers
100 West 23rd Street, New York 11, N.Y.

Enclosed $_____. Please send me ____ copies of The Shelter Hoax and Foreign Policy ($1 each, 6 for $5, 10 for $7).

Name _____

Address _____

City _____ **Zone** ____ **State** _____

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the Brahms Second Piano Concerto (which it superficially resembles in that both have unprepossessing openings — solo horn passages — from which large structures are developed) to hear how the compositional concentration in every detail of the Brahms fills the time so relevantly that one never loses the thread of connections even amid passages of great complexity.

Despite its weaknesses, of course, the Schubert has so many wonderful and suggestive ideas that its presence in the repertory is entirely justified. Unfortunately, though, most conductors approach it as a perfect and untouchable masterpiece, so that their performances expose its failings like raw and bleeding wounds. Another frequent approach is to recompose the work externally, either by imposing gratuitous continuities that effectively destroy the real coherence of the piece, or by attempting to generate new levels of intensity through the emphasis of inner details as though they were significant counterpoints, although they actually have no real individuality apart from their minor contribution to the context. In his performance of the symphony with the New York Philharmonic on February 25, Alfred Wallenstein showed his awareness of these problems, but failed to deal convincingly with them. His way of strengthening the climaxes, for example, was simply to draw increasing volumes of sound from an unchanging instrumental texture, which succeeded only in overloading and forcing the entire sonority. Similarly, some of the weakest ideas were leaned on most heavily, particularly the two even, hammered-out notes that recur endlessly in the second movement; but they were made no more convincing thereby, only much more tedious. Wallenstein also tried the technique of bringing out spurious "inner voices"; to be sure, one heard the entire trombone part for the first time, and with startling clarity, but unfortunately most of its "counterpoints" were just simple components of the harmony or supporting rhythmic patterns on one or two notes. Altogether, Wallenstein's approach was much more imaginative in the Schubert than in the Beethoven Eighth Symphony (reviewed last week), but the net result was the same kind of substitution of emphasis for intensity and of accentuation for inflection. In addition, the Philharmonic's playing was about as much of a shambles as it has been all season, although there was something especially memorable in the faint, gasping wheeze with which the performance ended.

THE LATE Bruno Walter's last recording of the Schubert Ninth has just been released by Columbia. His performance is far more polished and musical than Wallenstein's, his orchestra is considerably better and he clearly projects many of the expository materials. But the large continuity that he generates seems to derive from some principle outside the context of the work itself, as though there were some ideal form to which all music should aspire. Thus the over-all movement of the piece is reduced to a recurrent pattern that always begins broadly and softly, gradually getting louder and faster until a great climax is reached; whereupon the entire process is repeated, but at a slightly more intense level, to generate a feeling of progressive growth. In this process, details and inflections of the formal context are all subordinated to this extrinsic "main line"; thus the only variations in tempo occur within the swellings to high points, while the tempi of all the movements are basically the same. The effect is like that of a chain of little Wagner preludes (it is also amusing to hear how eagerly Walter brings forth passages that anticipate Mahler, particularly the little canon between violins and cellos in the Minuet) superimposed grandly on recalcitrant materials. An occasional section of the symphony lends itself to this ritualistic approach, and emerges quite successful; the little second-movement transition mentioned above is beautifully transparent and mysterious. In general, Walter's handling of orchestral sonority is quite impressive — he gets from the orchestra precisely what he wants, except, perhaps, for a certain "whiteness" in the sound of the winds.

But when one compares Walter's performance with the recording by the late Wilhelm Furtwängler, the radical difference between an arbitrary and a contextual approach becomes immediately apparent. In the first movement, for example, both Walter and Furtwängler take a slower tempo for the second theme, and then accelerate again as they approach the development. But once having reached the climactic end of the exposition, Walter immediately slows down again, and prepares to begin another cycle of soft-slow to loud-fast. The only justification for the original differentiation in tempo, however, is that this entire movement is constructed, like many Schubert pieces, on two distinct and opposing levels of speed that coincide with the two main thematic ideas; this opposition is essential to the whole development, where the themes are simultaneously expanded. Thus Furtwängler maintains the fast tempo into the development, fulfilling the formal design as well as extending the connective range over sectional boundaries. In every respect, Furtwängler's performance is illuminated by this kind of penetration, following Schubert's ideas according to their actual threads of coherence. Placed in such a framework, the successful aspects of the piece come forward, and the disintegrating effects of the compositional weaknesses are minimized.

AMONG other recent orchestral recordings, Otto Klemperer's performances of several Mendelssohn works will be a particular revelation to those who regard Mendelssohn as a superficial composer because of the apparent facility of his music. The great originality and importance of his best works are often overlooked because they do not reveal overt tensions or dramatic gestures. But Mendelssohn's forms are no less significant because he did not work with highly resistant materials, preferring malleable ideas that could be

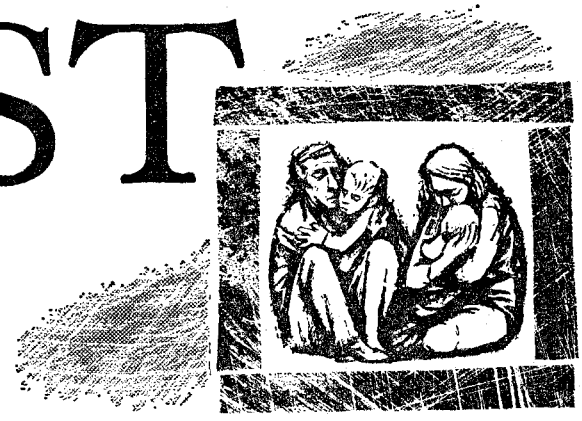
The Morning Begins with Love

The morning begins with love
When the dice and the fiercer dicing
Are put away; mother remains domestic,
I think, to a large degree, and the
Children sing discords. But love's light
May cover it yet, the day, with value.
Otherwise ranch and sagebrush, stock
And drab crowings of the cocks,
And another morning turned to night.
This pale gold is better than red,
Or green or black. Let the rocks
Quietly unfold their songs,
Avoiding harsh drums and gongs.
See overhead the flocks;
How do you name those birds?

Tracy Thompson

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE CASE AGAINST CIVIL DEFENSE



By Sidney Lens

AT LAST! THE TRUTH ABOUT CIVIL DEFENSE

A 30,000 word sourcebook of facts and brilliant interpretation that together make a compelling presentation of "The Case Against Civil Defense." It's yours **FREE** with a trial subscription to The Progressive at half the regular price.

Get your copy now of the most authentic, the most complete analysis of civil defense and fall-out shelters ever published—thoroughly documented.

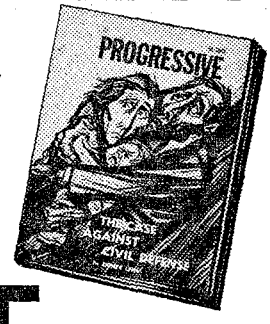
This special issue of The Progressive goes right to the heart of every facet of civil defense. It provides the information you need to expose the shelter folly. It is yours free with an introductory subscription that saves you 50% over the newsstand price.

Enclosed $2. Send The Progressive for seven months, plus a free copy of "The Case Against Civil Defense" to:

Name .....

Address .....

.....



FREE
with a special trial subscription to The Progressive
7 months for only $2
(a half price offer)

THE PROGRESSIVE
400 WEST GORHAM ST., MADISON, WISCONSIN

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

developed and shaped into both unified and subtly differentiated total structures. By the same token, rhythmic interest in his works arises not from strong local profiles but from the underlying inflections of larger units. In many respects his music is closer to Bach's than to any other; the Scherzo of the *Midsummer Night's Dream* music bears a strong inner relation to the Prelude of Bach's E major partita for solo violin.

The most remarkable of these recorded works is unquestionably the "Italian" Symphony. Mendelssohn's absolute security in setting down notes and his skill in articulating and controlling an outwardly undifferentiated motion are awesomely demonstrated in this piece. Each of the four movements is built around an idea of perpetual motion, expressed in different ways. In the first, which appropriately has the motion of an Italian *opera buffa* patter aria, a chattering tremolo runs through the center of the texture joining together all the parts of a fully developed form without ever blurring the formal outlines, even though it hardly misses a beat. In the second movement, the perpetual-motion idea takes the form of an even march of eighth notes that marks out the bass under the opening melodic phrases, then continues to move through all parts of the texture, becoming buried (but still clearly audible in Klemperer's performance) in the inner voices in the middle section, where it is a counterpoint to the slowly unfolding principal melodic material. The third movement has two kinds of motion: the rocking figuration that is alternately part of the main melodic line and its accompaniment, and a dotted rhythm in the middle section, both of which are beautifully combined at the close. In the last movement, the *perpetuum mobile* finally comes to dominate the foreground, and a highly intense and concentrated form is developed from several contrasting rhythms opposed both contrapuntally and in successive blocks. Klemperer is alert to every aspect of this formal development, especially its progressive evolution through the whole symphony. Although all of his Mendelssohn records are beautifully played in this sense, the "Italian" Symphony has a special tensile lucidity that is completely absorbing.

Records

Mendelssohn: Hebrides Overture; Symphony #3 "Scotch": Angel (S) 35880. Incidental music to *A Midsummer Night's Dream*. Angel (S) 35881. Symphony #4 "Italian": Angel (S) 35629.
All with the Philharmonia Orchestra, Otto Klemperer, cond.

Schubert: Symphony #9.
Berlin Philharmonic, Wilhelm Furtwängler, cond. Decca DL 9746.
Columbia Symphony, Bruno Walter, cond. Columbia MS 6219.

ART

Max Kozloff

DESPITE the sporadic outrage that still greets him in the daily press, Jean Dubuffet, whose works are being shown in a large retrospective at the Museum of Modern Art, is a very important painter. And despite the more professional opinion that he is the most significant, because the most ferocious, artist to emerge from France since World War II, he is a quite amiable one. The belief that he is a votary of subversion and madness probably stems from his own romantic pronouncements, and our only piecemeal exposure to his work. Dubuffet is supposed to be unique in his challenge to French tradition: alone in his disregard of restraint, his rejection of "pure" and well-made painting, and finally in his disgust with sensibility. Even if I were to admit that these are integral, if negative, features of his art, he would still triumph as a specifically French figure with his own sense of beauty. He has simply taken a very roundabout way to demonstrate his good taste. The most that can be said against his acuteness is that it is masked by a certain nonsense, and if there is something of the bestial in him, it can only be that of a shaggy dog.

An obvious mistake which Dubuffet's art has a habit of provoking is to suppose that only two expressive categories exist — those roughly signified by order, harmony and contemplation on the one hand, and anarchy and brutality on the other. Were this so, and had Dubuffet chosen the latter, as even a number of his admirers think, then his show would be as monotonous as a few have found it. On the contrary, the panorama of his canvases so handsomely installed at the Museum is dazzlingly variegated, and far from the dull polarities that have come out of the discussions on his work.

Chronologically arranged, the exhibition begins substantially with a group of primitivistic vignettes of Paris life, executed during the Nazi occupation. They bludgeon cubist space and the dignity of man indiscriminately, with a systematic, cheerful cruelty. Aside from their debt to Klee (unusual for the time), they are essentially modifications of Rouault and Soutine. Their sense of struggle, however, is gratuitous, while their mania is indifferent to "pathos": two of the characteristics that have always marked Dubuffet and, since they were the basis of his new mode, given him the most trouble from critics. Already the gridlike compositions and the bulkiness of his pigments (*hautes pâtes*) were strangling contours, and hence legibility. In the second, and gloomiest section of the show, that of the portraits of 1947, matter has assumed a bituminous dinginess whose alienation of color might have seemed nasty, if Dubuffet's exaggerations were not so ludicrous (*Grand Portrait Banniere*, 1947). With a frivolous morbidity, he was once again nicely out of step among artists who were only too willing to forget recent horrors.

IT would be hard to give any continuity to his career since then, if it were not for certain principles that force their way into our consciousness of his art. These are *horror vacuii*, an endless investigation of materials (asphalt, tar, white lead, Swedish putty, cement, plaster, lime, coal dust, straw, etc.), affirmation of the picture surface (no illusionist space), automatism and an obsession with infantilia of every kind. But above all, so hypnotic is the presence of "paint" substance that, although the artist may mark or leave all manner of tracks in it, he cannot much shape or disguise it. A consequence is that textures may be very emphatic, but little contrasted, within each work. Yet from this unlikely humus has sprung the most clownish and prodigal display of invention, I think, since Picasso.

Following in quick succession after 1947, were the *Corps de Dame* series, the *Sols et Terrains* ("Tables on which the whole history of nature has been recapitulated"), *Terres Radieuses, Pates Battues* (Beaten Pastes), series of works made respectively from crushed newspapers, butterfly wings, clinkers, sponges; next a group of monolithic personages, painting assemblages, *Elements Botaniques*, a deluge of Texturologies, the Beards (*Barbes*) and so on. The possibilities are as unlimited, given his

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

basic inquiry, as are the variations in molecular structure. He has a sniffing intimacy with the earth rather more like that of a mole than of a dachshund. (And the more we identify with him, the closer we come to an incipient horror in his work.) In fact, the sensitivity to texture, to sheer "feel" is overwhelming. Just as the Venetians, say, were great colorists, Dubuffet (and here one has to invent a new classification) must be a great texturalist. He addresses the tactile sense with an exquisiteness which is totally expressive, unlike the subordinate energy a rough surface often signifies in other artists.

Hence, he is at once a natural scientist, if you will, and an explorer of completely new form. This combination of the factual and the utterly abstract seems all the more comprehensive when you compare Dubuffet with those who derive more or less from his art: Fautrier, Bettencourt, Tapies, Baj, Golub and Ossorio. They all seem fragmented and to illustrate one or the other side of the master, missing completely his curiosity and changeableness, his somatic compulsions rooted so deeply in experience. If you thrust your eye immediately above Dubuffet's square inches of soil, for instance, the sensation is real, but resembles nothing — or rather, simply, chaos. His problem is to make pictures which show that soil is what it is, with all its granulations and densities; but because of the nature of his subject, he has to make intelligible a particular structure of a substance which has no determinate visual structure, no stereotype or remembered shape that can serve as a guide. Clearly this is the significance of the story in his memoirs of his desire and failure to paint the running waters of a torrent. How reminiscent of Monet is the Dubuffet who is stimulated to the quick by an excruciating exercise in formlessness, with all its possibilities of a pre-civilized vision (which is, of course, fanatically over-civilized). At the Modern, his paintings always tend to draw ahead of (or fall behind — such is their ambiguity) what we can expect or optically interpret as an appearance. Here is the chief element of an art that has always been more valued for its interest in madness than for its passion for sensation, and adulated for its primitivism instead of for its fondness for the primordial.

BUT Dubuffet mischievously does not stop at this point; he infects his works, as he himself admits, with a negligence, half mere sloth and half delirium. It is simultaneously responsible for compromising and mocking his objectivity. Out from the teeming micro-structure of his canvas might appear, for no particular reason at all, a slaphappy, tatterdemalion cow. One is aware that the image usually bubbles up lugubriously as an end result, not as the starting point for the creative act. From this issue some of Dubuffet's happiest and funniest effects, as well as all his drawbacks: his puerility, his flimsiness (despite the grotesque tangibility of his work), his coprophagic masquerades and — the phrase is Bernard Dorival's — his voluptuous scatology. At such moments Dubuffet is too self-consciously naughty, and hence sentimental, for me. Incurably restless, he rarely lingers long enough to follow through any number of fascinating experiments (almost as if he is submitting to the intractability of his materials) and covers up with his teasing little obscenities.

Yet this very restlessness may grant his vision the most amazing insights; rather than portraying the visible, he makes visible, as Paul Klee would say,

The Shadow Knows

A flowerpot the color of earth
in Maryland: into which
birds look, turn from, look
again,
fly.

It is empty, full of
air only
that has come from

— Maryland? or Canada,
perhaps

it's cold enough for that. Mixed
with the air is there

another colorless substance
from 10 years ago, call it

the past? Rust-colored
is simpler to say, but

not so precise as that
color of Maryland earth

rain makes it moreso
the color, and so does
the earth more

become as the flowerpot

though birds stay upon that

Who heard
what birds, and

shricking of wind past
the butterfly windows . . .

in my mind this
very flowerpot
its very angle.

Gilbert Sorrentino

Strike it rich this summer!

Study for credit at the University of California's summer sessions. College students, teachers and recent high school graduates will find stimulating courses in all fields. 6 and 8 week sessions are offered at four campuses: Los Angeles and Berkeley—with cosmopolitan advantages; Santa Barbara, on the Pacific; and Davis, near the Sierra Nevada. For a rewarding summer write today for the Summer Sessions Bulletin. Specify the campus which you prefer. Desk F, Office of the Dean of Educational Relations, University Hall, Berkeley 4, California.

UNIVERSITY OF CALIFORNIA

$179,741 to Writers

Your unpublished manuscript may be valuable! Our famous subsidy plan has returned $179,741 to writers in the past six years. We will publish, advertise, distribute your book and pay you 40% of retail price.

Send for **FREE BROCHURE N.**

Pageant Press, 101 Fifth Ave., New York 3

"A FINE, MOVING... ARRESTING... AND TIMELY PLAY."—Taubman, Times

ERIC PORTMAN
GLADYS COOPER
ZIA MOHYEDDIN
IN A NEW PLAY
A Passage to India
also starring
ANNE MEACHAM
by SANTHA RAMA RAU
from the novel by E. M. FORSTER

PRICES: Mon. thru Thurs. Evgs.: $6.90, 5.75, 4.80, 4.05, 3.60, 2.90. Fri., Sat. Evgs.: $7.50, 6.90, 5.75, 4.80, 4.05, 3.60. Mats. Wed. and Sat.: $4.80, 4.30, 3.60, 2.90, 2.30. Enclose stamped, self-addressed envelope

AMBASSADOR THEA. 215 W. 49th St. N.Y. 19

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

RESORT

ONLY 50 MILES FROM N.Y.C.

Beautiful 8 mile lake. Golf at a magnificent Country Club. Dancing. Entertainment. Superb Cuisine. Fireproof Bldg. Elevator. Special "single" weekends. Group facilities. In New York City call at local rate.
FAirbanks 5-7227
MAhopac 8-3449

FORESThouse
LAKE MAHOPAC, N. Y.

WEEK-ENDS

SPEND quiet week-ends in country, 1 hour bus from NYC. Private home on lake. 2 rooms, bath: lady, 2 ladies, or couple. **Box 520, c/o The Nation.**

SERVICES

MOVING? Professional moving at competitive rates. Anytime, anywhere. Licensed, insured, experienced. **THE COVERED WAGON. ALgonquin 5-1788 (N.Y.C.)**

WE MOVE YOU WITHOUT TEARS — Economical, insured moving and storage. Vans, wagons—NYC, resorts, long distance. **The Padded Wagon, Inc., AL 5-8343 (NYC), 569 Hudson Street, New York 14.**

FRANK SANTORO—Cabinetmaker—Carpenter—Custom Painting. **AL 5-8343.** Padded Wagon (NYC).

MERCHANDISE FOR SALE

TOO EARLY? Cost too much? Can't afford it? **ALL WRONG!** Now is the time to get that Air Conditioner for as low as $155.00. All makes including Carrier, Fedders. Free survey to insure proper unit. **STANDARD BRAND DIST., 27 Union Square (cor. 16th St.), 3rd floor, N.Y. GR 3-7819—CH 2-0061.**

SITUATION WANTED

INTELLIGENT, industrious young man with literary and musical interests, seeks stimulating day or night work N.Y.C. **Call UN 5-8260—9 A.M. to 1 P.M.**

The Best Way To Get THE NATION

THE NATION
333 Sixth Ave., New York 14

☐ One Year, $8
☐ Two Years, $14
☐ Three Years, $20
☐ 6 Months, $4

☐ Bill Me ☐ Payment Enclosed

(Foreign and Canadian Postage $1 a year extra)

NAME _____

ADDRESS _____

CITY _____ ZONE____ STATE_____

8-24-62

unseen perceptions. Even if you concede the monotonous unity of his crusts, you must admit that under their coruscations there exists intimately differentiated hues which yet seem intangible and pulverized. In his *Natural History,* 1951, Dubuffet attains colors that elude conventional description altogether, and force you to use such terms as caramel, pollen, sulphur, peacock blue, burnt brown sugar, orchid, cochineal. The rarest color perfumes are thus blended with digestive fantasies to create vast bouillabaisses of sensual pleasure, hymns to delectation. This former wine merchant and butterfly chaser is, after all, very French indeed. Behind his forgivable and even necessary truculence he has made over a familiar quality into something strange and precious.

FILMS

Robert Hatch

AT first thought it may seem odd that Alain Robbe-Grillet should be the author of *Last Year at Marienbad,* for he is the leading theoretician for a contemporary type of novel that strives to restrict itself entirely to objective description; and the film is a pictorial approximation of purely subjective states. But the consistency may rest in the fact that the movie apparently tries to deal with the data of the mind — from association and memory to fantasy and hallucination — as though they were objects in exterior space and time. Working from this script, Alain Resnais has directed a film that beguiles the eye and bedevils the mind.

The scene (with side excursions to chateaux and parks) is a hotel de luxe, peopled by elegant ciphers who chat, play cards, toast one another, attend soirees, applaud politely and remain unaware of a desperate slow-motion pursuit that threads its way among them. A man (Giorgio Albertazzi) is wooing a woman (Delphine Seyrig) who is perhaps married to a second man (Sacha Pitoeff). They had met and loved a year previously at Marienbad and the present encounter is a rendezvous, which now she stubbornly denies. Or had they never met before, and is he a seducer who would advance himself upon her by hypnotic confusion? Or do they never meet, and is all this taking place in the mind of one of them?

Any of these situations — and presumably as many more as one cares to invent — may be the true theme of the film: a leaflet handed out at the theatre explains that "the meaning is not imposed"; that, on the contrary, "your collaboration is required to complete your personal understanding." That being the case, I shall propose that we are looking in upon a most difficult psychoanalysis, and that the "lover" is in fact a doctor attempting to make contact with a painfully abstracted patient. I take this view partly because the man whom I assume to be the husband displays the kind of still alarm often invoked by grave illness; partly because the voice of the lover-healer that is strung monotonously along the sound track contains the vocal laudanum I associate with Freudian suggestion. It seems inescapable that someone in the picture is deranged, and of the three I incline toward the woman — for one thing, she has a most unsettling laugh. But I will not be dogmatic about this "explanation," except to point out that no one — not even the authors — can prove me wrong.

What one sees on the screen is often pictorially beautiful and never dramatically explicable. It is a continuity outside of time that does not distinguish between what did happen and what might have happened, that treats the future with no less circumstantiality than the present or the past. Much of it repeats, like a continuous film strip. Scenes recur in different contexts; we advance, if we do, by retreating.

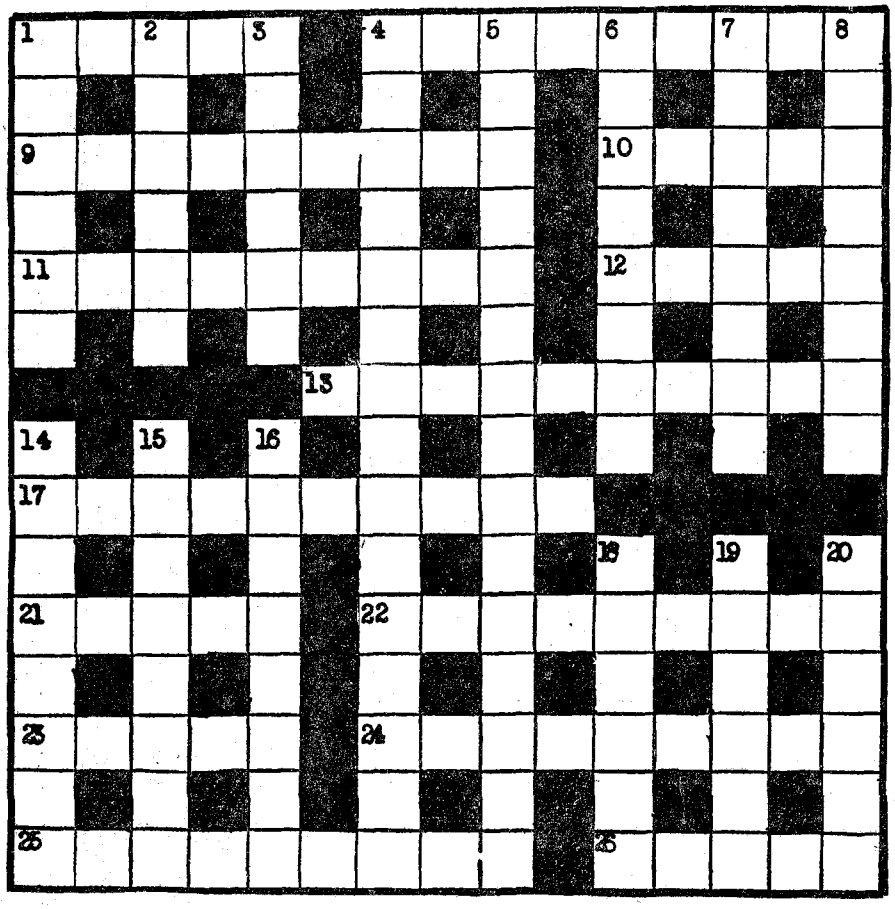
Last Year at Marienbad is eminently a work that will provide new insights with repeated viewing — I suspect that one could make at least a brief career out of attending this picture. But I doubt that I shall go to it again, because at bottom I have no patience with its methods. Do-it-yourself theatre, it seems to me, confuses the roles of artist and client to the advantage of neither. I don't mind working to grasp ideas and relationships that are complex; nor do I resent ambiguity when it is unavoidable in the context. But isn't it trivial to give the spectators a set of prepared ambiguities to play with, as though offering children blocks with which to "express" themselves? And doesn't the artist — by ducking the need to take any stand at all with respect to the material — achieve his sensitivity and subtlety at very little expense?

I got one clear impression from *Last Year at Marienbad,* and that was of Resnais and Robbe-Grillet grinning wickedly at each other above the heads of a trustful public that was flagging its poor little brain into some notion of what in hell the picture is all about.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Crossword Puzzle No. 955

By FRANK W. LEWIS



ACROSS:

1 The last word in part of the diving gear is made of it. (5)
4 How to make up a Stalin as an entirely different character. (5, 4)
9 There's no proof to such a statement. (4, 5)
10 A stable sort of deity deep in sleep on a mountain. (5)
11 The sort of ease Hood didn't find in November. (9)
12 A sort of sale, and the shirt-wearer might tuck his. (3-2)
13 No guides in such a condition should be really native. (10)
17 A well-known juice, but a thinly-disguised trace is found in 1 down. (10)
21 A vacant expression in the window, perhaps. (5)
22 What might be brewing with a bore and a book-worm? (4, 5)
23 Butler who gave character to a plot. (5)
24 The way to arrange to make a man tingle? (9)
25 A stroke suffered by non-enthusiastic opera-goers? (9)
26 Supported Sherpa, by the sound of it. (5)

DOWN:

1 A perfect one wouldn't be pretty, though far from quiet and correct. (6)
2 An entirely different place than Assuan. (6)
3 A steed that would certainly not be wild. (6)
4, 7 and 6 down What could one make of the two clues "12:54" and "Zen"? (3, 2, 3, 3, 4, 1, 5, 2, 3, 5)
5 You might not have it unless your audience is understanding. (15)
6 and 7 See 4 down
8 If you have any spare quality, this might be it. (8)
14 And a joke might have the same quality as 8. (5, 3)
15 Set back and look up the contents, if you want to get lazy. (8)
16 Protected by le ciel? (8)
18 This drink might make one shaken up with three G's. (6)
19 Only half the character of "Guys and Dolls" is well done. (6)
20 What Bok did might be it indeed, with a turn of the head. (6)

SOLUTION TO PUZZLE NO. 954

ACROSS: 1 Capitally; 10 Leagued; 11 Scuffle; 12 Primero; 15 and 9 Trench warfare; 17 Egress; 18 Amity; 19 Corbel; 22 Employ; 25, 13 and 16 Betrothal; 27 Indulge; 28 Unsound; 30 Incisor; 31 Dwindle; 32 Noses. DOWN: 1 Cowls; 2 Permute; 3 and 6 across Traffic light; 4 Lieder; 5 Yclept; 6 and 33 Loading platforms; 7 Gruyere; 8 Tediously; 14 Oxide; 15 Tactician; 17 Eye; 20 Reduces; 23 Mastiff; 24 Launder; 25 Bear up; 26 Tundra; 29 Deeps.

PUBLICATIONS

L'EXPRESS

the leading liberal paper in France today. Send 10c for your copy. HOWARD PUBLICATIONS, 1475 Broadway, New York 36.

JEUNE AFRIQUE

The liberal voice of emerging Africa
Edited in Tunis, in French
Send 25c for your copy
HOWARD PUBLICATIONS
1475 Broadway New York 36

AND MANKIND SHALL NOT DIE!

Disgusted with the war-mongers and the hate-doctors? Learn how Vinoba Bhave, India's Walking Saint, is bringing love and understanding between millions, reforming the social system to strike at the grass-roots of crime and violence, and how this great message can be applied also to America.

INDIA'S SOCIAL MIRACLE
by Daniel Hoffman
$2.95 paper $3.95 cloth
Postpaid from:
Naturegraph Co., Healdsburg, Calif.
Also send for free Nature Catalog

EDUCATION

POST-CARD CORRESPONDENCE.
Tanach-Talmud Institute
47 Commonwealth Ave., Boston, Mass.
ANCIENT SPIRITUAL TREASURES.

LEARN WHILE ASLEEP, self-hypnosis, prayer-plant experiments! Details, catalog FREE. Research Association, Box 24-TN, Olympia, Washington.

SPECIALISTS in Humanities to develop unique academic enterprise. Box 519, c/o The Nation.

HANDWRITING ANALYSIS

Complete Personality Analysis
from Your Handwriting
Fee $5.00
ALFRED KANFER
62 Leroy St., New York 14, N. Y.
Endorsed by scientific authorities, hospitals, insurance companies, college psych. journals.
Recipient of research grants

PERSONALS

"FALLOUT PROTECTION?" Tells how to make war fun and reasonable. Parody on new government pamphlet. 24-pages. Illustrated. 25c cash or stamps. Pregnant Pamphlets, Box 245, Urbana, Ohio.

Advertising Rates
CLASSIFIED
74c a line (6 words)
Three-line minimum
CLASSIFIED DISPLAY
$7.42 per inch (minimum)
The NATION
333 Sixth Ave., New York 14, N. Y.
CHelsea 2-8400

Printed in the U. S. A. by RCR Publication Printers Corp., N. Y. C.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The fine art of non-fiction

A wise, witty, and searching study of why we get so little fun out of life, **IS ANYBODY HAPPY?** by ***Norman Lobsenz*** examines the American obsession with happiness and the relation of increased leisure time to status, sin, and the divorce rate. The idea of having fun "if it kills us," the compulsion for material gain, and the desire to make pleasure profitable are discussed by Mr. Lobsenz in this deft analysis of the fun-seeking Leisurecrats. $4.50

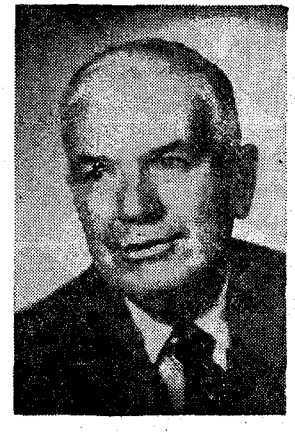
THE SUBSTANCE OF MAN is a brilliant collection of pensées by ***Jean Rostand,*** one of the most distinguished of living scientists. By consistent application of the universals of biological fact to the particulars of man, his institutions, and nature, Rostand undertakes an original and stimulating investigation of man's condition that is remarkable both for clarity of insight and superb literary style. $4.95

Phillip Noel-Baker, winner of the Nobel Peace Prize, describes **THE COLD WAR AND ITS ORIGINS** by ***D. F. Fleming*** as "a great book . . . [that] should do much to pave the way for peaceful coexistence." Dr. Fleming's completely documented account of the one real life or death conflict the world faces is indeed a monumental achievement – and is now back in stock at all booksellers. Two volumes, boxed. $15.00

What really goes on during psychoanalysis? How long does it usually take? Why does it cost so much? What should it do for you –and how can you tell if an analyst is good or not? ***Dr. Rudolph Wittenberg*** answers these and other questions in **COMMON SENSE ABOUT PSYCHOANALYSIS** – a clear and concise statement of just what psychoanalysis can and cannot accomplish. $3.95

THE STRUGGLE FOR ALGERIA by ***Joseph Kraft*** is "a skillful analysis of the origins and course of the Algerian war by one of its best informed and most penetrating observers. Among the many recent books on Algeria, Kraft's is the only one that . . . succeeds in placing the problem in its quite awesome historical and international context."
– *Saturday Review* $4.50

THE LIGHT OF OTHER DAYS by ***Rexford G. Tugwell*** is a personal account of the times and forces that molded one of the New Deal's most influential pioneers. It "brings alive," writes Carl Carmer in the *New York Times Book Review,* "the quiet dignity, beauty and innocence of a pre-World War I, upstate New York community." Firmly believing in the present, fondly remembering the past, Mr. Tugwell has written "a moving piece of work with a haunting quality" – which, says the *Cleveland Plain-Dealer,* "may be read with genuine pleasure." $5.95



from Doubleday

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED